

Also, petition of the Passaic Board of Trade, Passaic, N. J., against reduction of the duty on woolen and other manufactured goods; to the Committee on Ways and Means.

Also, petition of Swayne, Hoyt & Co., of San Francisco, Cal., regarding the duty of five-eighths cent per pound on rice; to the Committee on Ways and Means.

Also, petition of the Stauffer Chemical Co., of San Francisco, Cal., against reduction of the duty on tartaric acid; to the Committee on Ways and Means.

Also, petition of the Red Cedar Shingle Manufacturers' Association of Seattle, Wash., against placing shingles on the free list; to the Committee on Ways and Means.

Also, petition of the American Spice Trade Association of New York City, against the same duty on ground spice as on whole spice; to the Committee on Ways and Means.

Also, petition of the Jewelers' Board of Trade of the Pacific Coast, of San Francisco, Cal., against reduction of the duty on diamonds, etc.; to the Committee on Ways and Means.

Also, petition of the National Association of Window Glass Manufacturers' Association of Pittsburgh, Pa., against reduction of the duty on window glass; to the Committee on Ways and Means.

Also, petition of the American manufacturers of steel shears and scissors, against reduction of the duty on steel shears and scissors; to the Committee on Ways and Means.

Also, petition of the Sweater and Fancy Knit Goods Manufacturers' Association of New York, relative to the tariff on knit goods; to the Committee on Ways and Means.

Also, petition of the Hanlon & Goodman Co., of New York, N. Y., against reduction of the duty on brushes; to the Committee on Ways and Means.

Also, petitions of Maillard & Schmiedell, of San Francisco, Cal., relative to the Interstate Commerce Commission ruling relative to imported vegetables greened with copper salts; to the Committee on Agriculture.

Also, petition of the Alber Bros. Milling Co., against placing oatmeal and rolled oats on the free list; to the Committee on Ways and Means.

Also, petition of the National Cloak, Suit, and Skirt Manufacturers' Association, of Cleveland, Ohio, favoring a higher duty on finished clothing; to the Committee on Ways and Means.

Also, petition of J. D. Hammonds, La Mesa, Cal., against reduction of the duty on citrus fruits; to the Committee on Ways and Means.

Also, petition of the Committee of Wholesale Grocers, against reduction of the duty on sugar; to the Committee on Ways and Means.

Also, petition of the Lancaster Leaf Tobacco Board of Trade, of Lancaster, Pa., against free tobacco from the Philippines; to the Committee on Ways and Means.

Also, petition of the Crown Columbia Paper Co., of San Francisco, Cal., relative to the exportation of pulp wood; to the Committee on Ways and Means.

Also, petition of the Los Angeles Chamber of Commerce, Los Angeles, Cal., protesting against the proposed reduction of the tariff on such a great number of the California products; to the Committee on Ways and Means.

Also, petition of the Van Duzer Extract Co., New York, N. Y., protesting against the placing of vanilla beans on the dutiable list; to the Committee on Ways and Means.

Also, petition of the Ennis Brown Co., Sacramento, Cal., protesting against any reduction of the tariff on beans; to the Committee on Ways and Means.

Also, petition of the American Olive Co., Los Angeles, Cal., relative to the tariff on olives; to the Committee on Ways and Means.

Also, petition of sundry employers and employees of the gold-leaf industry in the United States, protesting against the proposed reduction of the tariff on gold leaf; to the Committee on Ways and Means.

Also, petition of the Retail Butchers' Association of San Francisco, Cal., favoring the placing of live stock on the free list; to the Committee on Ways and Means.

Also, petition of A. B. C. Dohrmann, relative to the proposed change in the tariff on earthenware; to the Committee on Ways and Means.

Also, petition of sundry citizens, business concerns, and corporations of California, protesting against the proposed reduction of the tariff on sugar; to the Committee on Ways and Means.

Also, petition of the Salts Textile Manufacturing Co., of New York, N. Y.; the Greswold Worsted Co., Darby, Pa.; and 2 other companies, favoring a differential duty of about 40 per cent between raw hair and the finished products; to the Committee on Ways and Means.

Also, petition of the Pennsylvania Millers' State Association, Lancaster, Pa., and the Washington bureau of the Buffalo News, favoring tariff being placed on the products of grain equal to that on the grain; to the Committee on Ways and Means.

Also, petition of the Citrus Protective League, Los Angeles, Cal., and the Fruit Trade Journal and Produce Record, New York, N. Y., protesting against the proposed reduction of the tariff on citrus fruits; to the Committee on Ways and Means.

Also, petition of the Ludlow Manufacturing Associates, Boston, Mass.; J. S. Dunningan; and other citizens and business concerns of San Francisco, Cal., favoring a differential duty on burlap and jute bags; to the Committee on Ways and Means.

Also, petition of Field & Cramer, San Francisco, Cal., and the New York Life Insurance Co., New York, N. Y., protesting against including mutual life insurance companies in the income-tax bill; to the Committee on Ways and Means.

Also, petition of Hugo Reisinger, New York, N. Y., favoring the reduction of the tariff on electric-light carbons; to the Committee on Ways and Means.

Also, petition of Isaac Prouty & Co., Spencer, Mass., protesting against the proposed reduction of the tariff on boots and shoes; to the Committee on Ways and Means.

By Mr. SULLY: Petitions of sundry citizens of New Jersey, protesting against mutual life insurance funds in the income-tax bill; to the Committee on Ways and Means.

By Mr. STEPHENS of California: Petition of the O. Newman Co., Haas Baruch & Co., and 5 other business concerns of Los Angeles, Cal., protesting against assessment of duties by the collector of customs; to the Committee on Ways and Means.

Also, petition of J. Herber & Hall Co., Pasadena, Cal., and L. Nordlinger & Sons, Los Angeles, Cal., protesting against the proposed increase of the duty on diamonds; to the Committee on Ways and Means.

Also, petition of the Los Angeles Rubber Stamp Co., the Cudahy Packing Co., Stewart & Tinklepaugh, and other business concerns, corporations, and citizens of Los Angeles and other cities and towns of California, protesting against including mutual life insurance companies in the income-tax bill; to the Committee on Ways and Means.

Also, petition of the Federated Improvement Association of the city of Los Angeles, Cal., favoring the passage of legislation for relief from restriction of American water shipping; to the Committee on Interstate and Foreign Commerce.

Also, petition of E. C. Calkins and Flora H. Calkins, Monrovia, Cal., favoring the passage of legislation prohibiting the importation of plumes and feathers of wild birds for commercial use; to the Committee on Ways and Means.

Also, petition of the Globe Grain & Milling Co., Los Angeles, Cal., favoring the passage of legislation equalizing the duty on wheat and flour; to the Committee on Ways and Means.

Also, petitions of J. W. Morgan, of Garden Grove, and C. R. Keller, of Oxnard, Cal., against reduction of the duty on sugar; to the Committee on Ways and Means.

By Mr. TAVENNER: Petition of sundry citizens of Rock Island and Moline, Ill., favoring the clause prohibiting importation of plumage and skins of wild birds; to the Committee on Ways and Means.

By Mr. TUTTLE: Petition of the New Jersey Association Opposed to Woman Suffrage, protesting against any amendment to the Constitution of the United States granting suffrage to women; to the Committee on the Judiciary.

SENATE.

FRIDAY, May 16, 1913.

The Senate met at 11 o'clock a. m.

Prayer by Rev. W. V. Tudor, D. D., of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SIMMONS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

THE TARIFF.

The VICE PRESIDENT. Under the unanimous-consent agreement the Senate resumes the consideration of the motion of the Senator from North Carolina [Mr. SIMMONS] to refer to the Committee on Finance the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes, received from the House of Representatives for concurrence on the 9th instant.

Mr. MARTINE of New Jersey. I suggest the absence of a quorum.

Mr. SIMMONS. I make the point that there is no quorum present.

The VICE PRESIDENT. The Secretary will call the roll.
The Secretary called the roll, and the following Senators answered to their names:

Ashurst	James	O'Gorman	Smoot
Bankhead	Johnson, Me.	Overman	Stephenson
Bradley	Johnston, Ala.	Page	Sterling
Brady	Kenyon	Penrose	Stone
Bristow	Kern	Perkins	Sutherland
Bryan	La Follette	Pomerene	Thomas
Burton	Lane	Ransdell	Thompson
Chilton	Lea	Robinson	Thornton
Clapp	Lippitt	Saulsbury	Tillman
Clark, Wyo.	Lodge	Sheppard	Townsend
Crawford	McLenn	Sherman	Vardaman
Dillingham	Martin, Va.	Shively	Weeks
Gallinger	Martine, N. J.	Simmons	Williams
Hitchcock	Myers	Smith, Ariz.	Works
Hollis	Newlands	Smith, Ga.	
Hughes	Norris	Smith, S. C.	

Mr. BRYAN. My colleague [Mr. FLETCHER] is absent from the city for a few days on important business.

Mr. SMITH of Georgia. I desire to state that the senior Senator from Georgia [Mr. BACON] will be necessarily detained from the Senate by official business until after 12 o'clock.

Mr. SHEPPARD. I wish to state that my colleague, the senior Senator from Texas [Mr. CULBERSON], is necessarily absent, and that he is paired with the Senator from Delaware [Mr. DU PONT].

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. There is a quorum present.

Mr. JAMES. Mr. President—

Mr. MYERS. I will ask the Senator from Kentucky if he will yield to me to present a matter for the RECORD before he begins.

Mr. JAMES. I yield to the Senator from Montana.

Mr. PENROSE. I did not hear the request of the Senator.

Mr. LA FOLLETTE. He wishes to put some matter in the RECORD.

Mr. SMOOT. Does it relate to this bill?

Mr. MYERS. Yes, sir.

Mr. President, during the discussion of the last few days upon the pending motion a number of documents and communications have been read, notably a lengthy communication to a Senator from a gentleman, styling himself a Democrat, in Michigan, in which he tells about all the dire things that will happen to him and the Democratic Party and the country in general if the special privileges enjoyed by him and his associates at the hands of the Government and at the expense of the people be withdrawn by enactment of the House tariff bill. It has been well styled by the Senator from North Carolina [Mr. SIMMONS] a brief for the sugar manufacturers.

This week I have received a telegraphic communication, in the nature of a petition, from parties in Montana, which may be styled a brief for protected interests. It is very brief and very pointed. It is admirable as a model of brevity, conciseness, and frankness. It is much in little. In three lines it expresses all that is expressed in the doleful appeal of the Michigan gentleman. I, too, received a copy of the direful Michigan appeal, and I can make reply to both in one reply. I read the telegram referred to received by me:

MOORE, MONT., May 12, 1913.

Senator MYERS, Washington, D. C.:

Standing pat for a proper protection of the wool and sugar industries will be appreciated by your constituents in this vicinity.

MOORE COMMERCIAL CLUB.

That is admirable for concise advice. Stand pat for protection for wool and sugar! Some of my constituents seem to be under a misapprehension as to my politics. The reply that I made to that telegram will serve to answer all like communications that I have received or may receive from Montana or elsewhere. In answer I wrote as follows:

WASHINGTON, D. C., May 13, 1913.

MOORE COMMERCIAL CLUB, Moore, Mont.

GENTLEMEN: I am in receipt of your telegram of the 12th, reading: "Standing pat for a proper protection of the wool and sugar industries will be appreciated by your constituents in this vicinity."

I assure you that I am standing pat, but I am standing pat for the people—the great masses of struggling people who enjoy no special privileges at the hands of the Government that they toll to help support. I must respectfully decline to stand pat for protection of the wool or sugar industry or any other special interest enjoying special privileges for the benefit of the few at the expense of the many.

I do not consider that I was elected to the Senate to stand pat for the wool and sugar industries of Montana, but to represent all of the people of the whole State of Montana and to legislate for the greatest good to the greatest number. If your views differ from these, I regret it, but can not help it. I can not surrender my convictions.

Mr. President, I did not know that when I was elected to this honorable body I was a standpatter. I did not know that I was ever considered a standpatter. However, as long as the appellant has been tendered me, I will accept it, and I now announce that I will stand pat for the interests of the whole people and all of the people, for the masses, the millions who

are struggling under a load of taxation for the benefit of a favored few. I will stand pat for protection of the masses. The time has come when the people need protection from special interests. I now announce that I am for free wool and free sugar. Tariff reform, like charity, should begin at home. Let us first strip our own protected interests of special privilege. Then we are in a position to demand that others be required to do likewise. I am against special privilege in my own section as well as other sections of the country.

As to the pending motion for hearings on the tariff bill, I do not favor allowing unlimited and indefinite hearings before the Senate Finance Committee to keep us here all summer and allow the representatives of protected interests to work the country into a fevered state of alarm and a furore of anxiety over dire predictions of calamity to ensue upon the withdrawal of their special privileges. They can easily prove on paper that the country and everybody in it will be ruined if their special favors be withdrawn or diminished. I am against the amendment of the Senator from Pennsylvania [Mr. PENROSE].

Mr. NEWLANDS. I ask the Senator from Kentucky to yield to me for one moment.

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Nevada?

Mr. JAMES. I do.

Mr. NEWLANDS. I ask unanimous consent that after the Senator from Kentucky closes his speech, which I understand will take only about 40 minutes, the time of Senators be limited until 3 o'clock to half an hour.

Mr. SMOOT. Mr. President, I object to that request. It is too late to make the request at this time.

Mr. PENROSE. We can not modify the unanimous-consent agreement.

The VICE PRESIDENT. It has been unanimously agreed that debate shall be limited after 3 o'clock.

Mr. SIMMONS. We have not in this debate limited the speech of any Senators, and I must object.

The VICE PRESIDENT. The Senator from Kentucky will proceed.

Mr. JAMES. Mr. President, when the Senator from Louisiana [Mr. RANDELL] was addressing the Senate the other day I inquired of him if it was not true that the Ways and Means Committee had given all the time desired to the sugar industry to present their case. He answered with perfect scorn, and said that they were offered only 45 minutes; that that was all the time they could get; that they had not had an opportunity to present their case to the committee; that they were cut off without the slightest chance by the committee.

I wish to read from the hearings of the Ways and Means Committee, of which I was a member at that time, what occurred. The chairman, Mr. UNDERWOOD, said:

If that be agreeable to the witnesses, all right; but I do not want to make the witnesses do what they do not want to do, and unless it is agreed we will call the calendar. If it is agreed upon, we will follow that agreement to a total limit of five hours, if necessary, instead of following the calendar.

Mr. BROUSSARD. I think an hour and a quarter will be satisfactory to the cane people. Of course I am not speaking for the beet-sugar people.

That was the statement of the gentleman from Louisiana [Mr. BROUSSARD]. They were given an hour and a half, and a total time of 5 hours, every particle of time they said was necessary to present their case.

Now, the distinguished Senator from Louisiana comes upon the floor of this Chamber and charges that the Ways and Means Committee denied them an opportunity to present their case. I said to him that the sugar question had been investigated only recently by the Hardwick special investigating committee; that they had taken testimony embracing many volumes, covering more than 4,000 pages; that every phase of that question had been gone into; that a thorough and complete investigation had been made.

I find that in addition to that, as suggested by the Senator from North Carolina [Mr. SIMMONS], the Finance Committee of the Senate last year gave hearings upon the sugar question which consumed considerable time, several weeks, and covered many hundreds of pages.

Mr. SIMMONS. Nine hundred.

Mr. JAMES. Nine hundred pages. Now, we are told by the Senator from Louisiana that Louisiana's industry is to be murdered in the Senate without a hearing being given to it.

Why, Mr. President, I have no hesitancy in saying that there is no Senator upon this floor who in three months' time could read and digest the testimony that has been taken upon the sugar question. What the American people want is action by Congress, not delay. I have talked with more than 200 men who have come to me because I am a member of the Subcommittee on Finance, we having before our committee many of

these schedules, each one of them making suggestions and presenting to me his brief, some wanting rates to remain as written, some wanting rates raised, others the rates lowered; but practically all of them said they wanted action and not delay, they wanted the bill passed—immediate action—they all agreed upon that; they knew the American people had in two Nation-wide contests spoken, and that their voice should be at once obeyed, and the American people will not approve the action of any Senator upon this floor, whether it be the Senator from Louisiana [Mr. RANDELL] or a Senator of one of the minority parties upon the other side, who seeks to hold the great business interests of this Republic up in the air while they talk and talk investigate and investigate a question that has been most thoroughly and completely investigated; and the hearings, testimony, and briefs upon the tariff in all its schedules now reach more than 20,000 pages.

The Senator took me to task because I read the Democratic national platform and said that that platform declared for free sugar. I am here to defend that declaration; I am here to prove that statement. The Senator says in a letter that he presents from my good friend BROUSSARD, covering the fatal number of 13 pages, that the platform adopted at Baltimore did not mean free sugar, and he gives certain reasons why it was not the purpose of that convention to declare for free sugar. I am perfectly frank in saying to the Senator that I hope I may be excused from accepting the version of the Democratic Party's platform as enunciated by Mr. BROUSSARD, because I recall, Mr. President, that Mr. BROUSSARD voted for the Dingley tariff bill and he voted for the Payne-Aldrich tariff bill, the two most oppressive protection measures ever written into law; and I have no doubt that he could have written a letter—it might not have taken 13 pages, perhaps it might have taken more—to have shown to his own satisfaction that the Democratic platform justified such a vote. So this, I take it, explains why I refuse to accept the "Broussard version" of the Democratic platform.

But the criticism the Senator makes is that, after I read the first part of this platform, I did not read it all. Let us see. Here was the part I read:

At this time, when the Republican Party, after a generation of unlimited power in its control of the Federal Government, is rent into factions, it is opportune to point to the record of accomplishment of the Democratic House of Representatives in the Sixty-second Congress. We indorse its action and we challenge comparison of its record with that of any Congress which has been controlled by our opponents.

You say I did not read it all. What is it that you say limits this sweeping indorsement of the action of a *Democratic House of Representatives*—not the action of Democrats in Congress, which would have included the Senators; not at all—but the Democratic national convention adopted a platform that indorsed the action of the Democratic House of Representatives. What was its action? Chief among its acts of relief to the American people was free sugar. What follows? Here is what the Senator says I ought to have read:

We call the attention of the patriotic citizens of our country to its record of efficiency, economy, and constructive legislation.

It has, among other achievements, revised the rules of the House of Representatives so as to give to the representatives of the American people freedom of speech and of action in advocating, proposing, and perfecting remedial legislation.

It has passed bills for the relief of the people and the development of our country.

Is not that an indorsement of free sugar? Is it not a relief to the people to give them free sugar—untaxed sugar? It would have saved them annually \$115,000,000.

But the platform proceeds:

It has endeavored to revise the tariff taxes downward in the interest of the consuming masses, and thus reduce the high cost of living.

Does not free sugar reduce the cost of living? The platform proceeds:

It has proposed an amendment to the Federal Constitution providing for the election of United States Senators by the direct vote of the people.

It has secured the admission of Arizona and New Mexico as two sovereign States.

It has required the publicity of campaign expenses, both before and after election, and fixed a limit upon the election expenses of United States Senators and Representatives.

It has also passed a bill to prevent the abuse of the writ of injunction.

It has passed a law establishing an eight-hour day for workmen on all national public work.

It has passed a resolution which forced the President to take immediate steps to abrogate the Russian treaty.

And it has passed the great supply bills which lessen waste and extravagance and which reduce the annual expenses of the Government by many millions of dollars.

And there it stops. The Senator from Louisiana says that because I did not read that portion that that is a limitation of the indorsement written by the convention of the action of a Democratic Congress in passing a free sugar bill. Is there any reference there to the woolen bill? Is there any reference there to

the cotton bill? Is there any reference there to the chemical schedule? Is there any reference there to the excise tax bill? Not one; yet if your version is true, the Democratic national convention assembled at Baltimore indorsed nothing done by the Democratic Congress except those things suggested there.

But the Senator asked another question in the letter of Mr. BROUSSARD, and stated that the Democratic platform used these words:

We denounce the action of President Taft in voting the bills to reduce the tariff in the cotton, woolen, metal, and chemical schedules and the farmers' free-list bill, all of which were designed to give immediate relief to the masses from the exactions of the trusts.

You ask why they did not include sugar in that? It is a very simple and very plain answer, that a sugar bill was not vetoed by the President. That is why they did not include it there. Do they include an excise-tax bill there? No. Why? For the very same reason that the excise-tax bill did not pass the American Congress and get to the President. Would you say that we did not include the excise tax bill and we therefore repudiated it?

The Democratic Party has for 25 years, Mr. President, challenged the opposition of the fortunes of the Republic, demanding just taxation in favor of the common people of this land. Will you say that because they did not specify that by name, therefore the Democratic Party has repudiated it? Would not the excise tax bill be included with free sugar, the woolen bill, the cotton bill, and the free list bill under the national Democratic platform indorsement of bills passed for the relief of the people and also bills to reduce the cost of living! The party that fought on and on and finally succeeded in having the Federal Constitution amended for the first time in a hundred years, except by the sword of war? Yet, according to the argument of my distinguished friend, the Democratic Party repudiated the excise-tax bill and repudiated the free-sugar bill because they are not included as having been vetoed by the President—when they were not passed through Congress, so the President could veto them.

He says in addition to that that Senators over here voted against free sugar. Certainly they did. They were voting to get the maximum relief possible from an opposition body. Certainly the Democrats here were contented, if they could not get a whole loaf, to take a half loaf; certainly the Democratic Senators here, seeing that they could not get the Underwood wool bill, accepted the La Follette wool bill. Is it to be urged because a few Senators upon this side of the Chamber voted to give such relief as they thought was the most they could obtain for the American people, that therefore that binds the Democratic Party?

Let me say to my distinguished friend that the Democratic platform is not written by a few Senators, however great they may be; it is not written by yonder House, in which I served 10 years with you; it is not written by the version of Mr. BROUSSARD. The Democratic platform is written by the assembled hosts of Democracy fresh from the people from every part of this Republic in convention assembled.

My friend says that it was in the atmosphere over at Baltimore that we were to have a tax on sugar. I will say this: Democratic platforms are not written in the atmosphere. There were a great many things in the air at Baltimore, but I never heard it suggested before that opposition to free sugar was there.

The Senator said I made a speech in that convention in which I advocated free sugar. That is true. I have it here. But he did not tell all. In recounting to that convention the triumphs of the Democratic Party I enumerated the wool bill, the metal bill, the cotton bill, the chemical schedule bill, and then I said:

Then we offered to the American people a bill taking the tax off sugar, giving to them free sugar and placing an excise tax on all incomes in excess of \$5,000. This bill is now in the Senate of the United States unacted upon.

I believe in free sugar. It will save every householder in this country 2 cents upon every pound of sugar. I believe in a tax upon incomes; I believe in an excise tax and I deny that the people who are well to do, those who are rich, those who are so fortunate as to have their thousands pouring in every year, are unwilling to bear their part of the burden of taxation to sustain this mighty Government of ours.

That met the enthusiastic approval of that convention. But not only did I as the permanent chairman call attention to free sugar, but the temporary chairman, Judge Parker, did likewise. Here is an extract from his speech:

Under sagacious and intrepid Democratic leadership special bills have been passed having for their purpose a revision of the tariff downward, ultimately to a revenue basis. These bills are known as "Free list—Wool, cotton, metals, chemicals, sugar, and excise." The President's use of the veto power has postponed, however, the hour when the people shall enter into the enjoyment of the relief proposed until after the inauguration of the next President.

That sentiment of the temporary chairman of that convention met the enthusiastic approval of the convention.

But let us go further, Mr. President. My friend read from a book yesterday; but I fear he has not looked carefully into it. Here was the book [exhibiting] from which he read. I have it in my hand now, with a different cover. It is the Democratic Textbook of 1912, issued by the Democratic national committee and the Democratic congressional committee. Has the Senator ever looked into that? It is worthy of his perusal. I will quote from this book. It was sent broadcast to every Democratic orator as giving our position upon the various questions that have been discussed. Among the many things enumerated I find this:

It has made an excellent record—

Speaking of the Democratic Congress—

It has made an excellent record in revising the tariff downward to a revenue basis, having passed measures thus affecting the schedules of most vital moment to the people, namely, wool, cotton, metal, chemical, and has placed sugar and other necessary food products on free list.

But that is not all. The Democratic textbook goes further, and I find, in addition to that, that it has this to say upon the question of sugar. I read from page 82:

The bill placing sugar on the free list was passed in deference to a very general and persistent demand on the part of consumers. By it the consumers would save during a year not less than \$115,000,000 from sugar prices, and if enacted the measure will substantially reduce the cost of living. The tariff tax on sugar amounts to about 1½ cents per pound. As this entire tax enters into the price of sugar to the consumer, it is easy to estimate the consumer's burdens because of tariff duties on sugar. The amount of sugar consumed in continental United States in 1911 was about 7,663,000,000 pounds, and the application of 1½ cents per pound to this consumption affords the estimate of \$115,000,000 as representing the saving to the people.

Does the Senator mean to tell me that he claims allegiance to a party whose national committee and congressional committee, resting their belief upon this Democratic platform in favor of free sugar, would scatter broadcast as the word of the party, to advise the people where we stood and give utterance to words like these, if we were not in reality for free sugar?

Mr. RANSDELL. Mr. President, will the Senator yield for a question?

Mr. JAMES. Certainly.

Mr. RANSDELL. Is it not a fact that the President, our standard bearer last fall, said in a speech at Pittsburgh that the Democratic Party did not stand for free trade or anything approaching free trade?

Mr. JAMES. Certainly; and he does not. I was coming to that. The Senator asked me that question yesterday. I will answer it. President Wilson does not stand for free trade. This bill that is to-day before the Senate will produce a revenue of \$300,000,000 to the Public Treasury. Does the Senator call that a free-trade measure? But let me ask the Senator a question. If President Wilson is a free trader because he advocates free sugar, what was the Senator when he advocated free meat, and free bread, and free boots, and free shoes, and free farming implements? He voted for the farmers' and laborers' free-list bill. Is he a free trader?

Mr. RANSDELL. No; I am not; but I want to ask this question—

Mr. JAMES. Well, I wish the Senator would tell me the difference between himself and the President. If he denominates the President a free trader because he is for free sugar, why is the Senator not a free trader when he was for free boots and shoes and meats and bread and farming implements?

Mr. RANSDELL. I have not said that the President was a free trader.

Mr. JAMES. That was the argument the Senator used.

Mr. RANSDELL. I said that the President in his Pittsburgh speech said that the Democratic Party did not stand for free trade, or anything approaching free trade.

Mr. JAMES. Certainly, he did.

Mr. RANSDELL. Is it not free trade when you put sugar on the free list? Is it not free trade in one of the greatest revenue-producing commodities we have?

Mr. JAMES. The Senator draws his conclusion of what constitutes free trade, not when he votes to put the products of other people upon the free list but when other people vote to put his products upon the free list. That is the Senator's definition of a free trader. [Laughter.]

Mr. RANSDELL. Will the Senator yield for another question?

Mr. JAMES. Certainly.

Mr. RANSDELL. The Senator says this campaign book was scattered broadcast. Is it or is it not a fact that when our campaign speakers were sent to the Western States they were told not to discuss the question of free sugar; and is it not a fact that if they had discussed free sugar and intimated that we were going to have free sugar we would never have carried those Western States?

Mr. JAMES. No, sir; I deny that the Democratic Party is guilty of such duplicity as the Senator suggests. If I believed it was, I would withdraw my allegiance from it and take my seat upon the other side of the Chamber. I spoke in the West, and everywhere I went I advocated free sugar, and I got more applause for free sugar than for any other schedule which I said we would revise for the relief of the American people. But let me proceed.

Mr. RANSDELL. Will the Senator let me explain?

Mr. JAMES. Certainly.

Mr. RANSDELL. Mr. ASWELL, a Member of Congress from my State, went out West and made a number of speeches for the party, and in getting his instructions at Chicago from the national campaign committee he was told, so I am informed, that he must not discuss the question of free sugar.

Mr. JAMES. Because they thought he would take the position that the Senator takes in favor of a tariff on sugar. That is why he was told that.

Mr. RANSDELL. But they told him that.

Mr. JAMES. Certainly; and I would have told the Senator that also if I had sent him out to make speeches. [Laughter.]

Mr. RANSDELL. He voted for this bill, did he not?

Mr. JAMES. I do not know how he voted; but I can understand why the campaign committee would suggest to a Democrat from Louisiana not to talk about sugar when he went out West.

Mr. RANSDELL. Would the Senator not consider that duplicity if they gave one kind of instructions to one man and another kind to another?

Mr. JAMES. Not at all. I would consider that the Democratic Party believed that the Louisiana gentleman had the wrong view on the sugar question, a view not in keeping with the Democratic platform, and they did not want to commission him to go out there and make votes against his party by repudiating his party platform. But, now, let us see. The Senator talks about the West. The West has no terrors for me, my dear friend; it is a glorious part of this Republic. I will read you something from the West:

RESOLUTION FAVORING SUGAR DUTY DEFEATED AT FRUITA, 64 TO 5.

[Evening Telegraph.]

FRUITA, COLO., May 12.

A resolution urging the retention of the present duty on sugar was defeated by a vote of 64 to 5 at a meeting of the chamber of commerce Saturday night. The members of the organization signed a petition to the Colorado delegation in Congress urging them to support the administration tariff bill, sugar clause and all. Fruit furnishes two-thirds of the beet supply for the Grand Junction sugar factory.

That is out West. Why, as I understand the sentiment in the West, the Senator from Colorado stood for free sugar and was elected to the Senate from that great State. In Louisiana, if I may be pardoned for suggesting it, if the consumers of sugar in that great State would take as much interest in inquiring how Senators and Congressmen were to vote as the sugar barons take, perhaps we would have more advocacy of free sugar in Louisiana.

But the Senator suggested in his speech yesterday that the President of the United States was advocating free trade because he wanted to put sugar upon the free list. Why, I have the RECORD here—I brought it so that there might be no mistake—where the Senator himself voted to override President Taft's veto of the farmers' and laborers' free-list bill, which placed on the free list agricultural implements, cotton bagging, cotton ties, leather, boots and shoes, fence wire, meat, cereals, flour, bread, timber, lumber, sewing machines, salt, and other articles. I find that the Senator voted to pass that bill over the President's veto; and I find that his distinguished colleague [Mr. BROUSSARD] voted to pass the bill in the House of Representatives. I have not yet looked to see whether he voted to pass it over the President's veto or not. I will now look. No; he did not vote for it, but he was paired for it:

Mr. BROUSSARD and Mr. SLAYDEN for passing the bill over the President's veto, with Mr. FORDNEY against.

You know it took two-thirds to pass the bill over the veto—so it took two votes to pass the bill over the veto—to one opposing it.

The Democratic Party can not be called a free-trade party because it favors putting on the free list some necessities of life, things entering directly into the consumption of every home and every family, at every fireside. Neither President Wilson nor any other Democrat who takes that position is any more a free trader than the Senator himself or his distinguished colleague [Mr. BROUSSARD].

But I did not read all this Democratic textbook. I tell you it is a valuable thing, and I knew what a pile of dynamite the Senator was holding in his hand yesterday. He had not

looked into this book. Let me read from this Democratic textbook, expounding our faith:

The family sugar bowl.—How a protective tariff extorts from the humblest consumer.

There is an article here of nearly six pages in favor of the Democratic position for free sugar. Among other things it says:

The total cost to the American consumer annually by reason of the duty is \$125,675,000. Of this \$52,300,000 goes to the Government in revenue, the balance goes into the pockets of the tariff-favored sugar interests of Hawaii, Porto Rico, the Philippines, Cuba, Louisiana planters, and promoters of beet-sugar factories, as a bounty from the Government. The tariff on sugar is perhaps the best illustration of the extortionate operation of our tariff laws. The Government levies a tax upon the imported half, from which is collected 17 per cent of our entire customs revenue. The domestic producers, who supply us with half of our requirements, base their prices on the value of imported sugar, plus the duty, so that the American consumer pays the equivalent of the full amount of the duty on all the sugar he consumes.

Mr. RANDELL. Mr. President—

Mr. JAMES. Just a moment, until I get through reading this; you may want to ask about some more of it as I go along.

After receiving subsidies, both through direct bounties and indirectly through the tariff, for over 100 years, the sugar industry of Louisiana, if it can not stand alone, has no further claim upon the American people.

It is absurd to ask the Government to continue to tax consumers, through the tariff, \$125,000,000 annually so that Louisiana may produce a crop, the yearly value of which is about \$25,000,000. We should look to industries that could be of service to the American people and not to industries that the American people must serve.

The absurdity of attempting to frame a tariff on the "difference of cost of production between here and abroad" theory is shown first by the wide range in the cost of production at home. The beet-sugar factories in California, by their own reports, produce sugar at 2.70 cents per pound. The Hardwick investigating committee found that the average cost to produce beet sugar in the United States was 3.54 cents per pound. Louisiana claims that it cost 3.75 cents per pound to produce raw sugar, and it would cost at least 0.60 cent more to refine and market this, making the cost 4.35 cents per pound. What is the cost of producing sugar in the United States?

It is absurd to say that the consumer will not receive the benefit from a material reduction or the removal of the duty on sugar. Every dealer in sugar knows the fallacy of this, and the domestic producers' clamor for the maintenance of the present duty is a recognition that if the tariff is reduced they will be forced to sell their product at lower prices.

The proof of the effect of the tariff is the difference between the domestic price of 5 cents and export price of 3.4 cents, quoted for sugar in August this year.

During the period of free raw sugar between 1891 and 1894 the price was reduced 24 cents per pound; consumption increased 23 per cent in the first year and 42 per cent during the whole period. A removal of the present duty would eventually result in a reduction of about 2 cents per pound. This would be of incalculable benefit not alone to the consumers but to such interests as canners, preservers, etc.; and it would not only increase their domestic business, but they would also be in a position to greatly increase their exports, thus creating a demand for the fruits and berries of the farmers that now go to waste for lack of a market, and this in turn would increase the demand for glass and tin ware, labels, and boxes. The transportation companies would also share in these enormous benefits.

England imports both fruit and sugar and supplies the world with preserves, while the United States, the greatest fruit-growing country in the world, does not even supply the home market with preserves because of the high price of sugar.

For 124 years the sugar industry of this country has had a right to lay tribute upon every other industry and upon every individual of this Republic who uses sugar, and after 124 years of enjoyment of that bounty we hear the Senator say that it can not stand alone. In the first 75 years of its existence it was an infant; it was too young to have this tariff tax taken from it. Now, in the last half of its existence it is too old to have the tariff tax taken from it. After you have had this industry encouraged by countless millions of money poured into the coffers of the men engaged in this business, you say here that your industry will be destroyed if sugar is placed upon the free list. One hundred and twenty-four years old is this infant that is not now ready to be weaned.

Mr. RANDELL. Mr. President, will the Senator yield for a question now?

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Louisiana?

Mr. JAMES. Certainly.

Mr. RANDELL. I notice that the Senator is getting away from the platform of the Democratic Party, and is devoting all of his attention, or practically all of it, to the Democratic campaign book. Will the Senator kindly tell us who wrote this article on sugar that he is reading from?

Mr. JAMES. It was written by Democratic authority, with the approval of the Democratic national committee and the Democratic congressional committee.

Mr. RANDELL. Who wrote it, please?

Mr. JAMES. I do not know who wrote it, but I know it had their approval.

Mr. RANDELL. I have been told by a member of the national committee that it was slipped into the book without ever being submitted to the committee. Col. Robert Ewing, the

national committeeman from Louisiana, is my authority for that statement.

Mr. JAMES. I notice that it has never been repudiated or taken out of the book; and I will say for the Democratic national committee, which the Senator seems to be willing to charge with sending men to double-deal in the West, and now charges with forgery in the Democratic campaign book, that they will repudiate that charge. I undertake to say that the article was not slipped into this campaign book, but it was written there by the authority of the Democratic national committee.

Mr. RANDELL. It is strange, then, that the Senator can not tell us who wrote it.

Mr. JAMES. How could I tell who wrote all these articles in the Democratic campaign book?

Mr. RANDELL. I guess it would be pretty hard to tell. Will the Senator let me ask him another question?

Mr. JAMES. Certainly.

Mr. RANDELL. The Senator says the Louisiana industry is an infant 124 years old.

Mr. JAMES. Yes.

Mr. RANDELL. Does not the Senator admit that it has been getting a considerable rate of duty during all of those 124 years?

Mr. JAMES. Certainly it has.

Mr. RANDELL. Does not the Senator admit that a very large sum of money has been invested in the sugar industry by the people of Louisiana, and also by the people of Texas, on the faith of laws that have been on the statute books of this country for 124 years?

Mr. JAMES. I know that sugar was placed upon the free list back in 1890.

Mr. RANDELL. Was there not a bounty put on it at the same time?

Mr. JAMES. I know they have had notice of the agitation of the sugar question, and I will say to the Senator that no right becomes a vested right because special privilege happens to get it through Congress. You have no right to claim for the people of Louisiana who have been producing sugar a vested right to extort tribute from every other consumer in America to enable them to do a profitable business.

Mr. RANDELL. Would not the argument of the Senator apply to every article that has been bearing revenue?

Mr. JAMES. Certainly it would not apply to every article that has been bearing revenue.

Mr. RANDELL. Why not?

Mr. JAMES. Because sugar is an absolute necessity of life.

Mr. RANDELL. Are not clothes a necessity of life?

Mr. JAMES. Clothes are a necessity of life; certainly they are.

Mr. RANDELL. Is the Senator in favor of putting wool on the free list?

Mr. JAMES. Certainly I am in favor of putting wool on the free list.

Mr. RANDELL. Are you in favor of putting clothes on the free list?

Mr. JAMES. No, sir; we are not.

Mr. RANDELL. Do people wear wool or clothes?

Mr. JAMES. The Senator might go on and ask me a thousand questions about what we are putting on the free list. We are putting sugar on the free list. That is one thing I know.

Mr. RANDELL. Since the Senator is so solicitous for free sugar, I will ask him if we do not pay a great deal more tribute to trusts and to revenue-producing articles in clothes than we do in sugar?

Mr. JAMES. So far as I am concerned, I should be glad if we could raise sufficient revenue in various ways to give the people free clothes. This we can not do, but we can give them free sugar. Sugar in this country is controlled by a trust, and the Senator knows it; and clothes are not.

Mr. RANDELL. I will ask the Senator if sugar is not the cheapest article of human food and if its price has not gone steadily down for many years?

Mr. JAMES. Suppose it is the cheapest article of human food—does that give you any right to rob the consumers who want it?

Mr. RANDELL. The Senator says it is controlled by a trust. Why is it so cheap if it is controlled by a trust?

Mr. JAMES. I should be glad if the Senator would allow me to proceed. He has spoken about four hours upon this matter. The Senator will not deny that sugar is controlled by a trust.

Mr. RANDELL. To a certain extent it is controlled by a trust, and you are preparing to let it be absolutely controlled

by a trust, in cooperation with Mr. Frank C. Lowry. You are trying to make the American people believe that they can get cheap sugar when you make it free.

Mr. JAMES. I will show you another thing in the Democratic platform that applies to that:

Articles entering into competition with trust-controlled products and articles of American manufacture which are sold abroad more cheaply than at home should be put upon the free list.

So, you have gotten on the free list twice with your sugar proposition.

Mr. RANDELL. Not at all.

Mr. JAMES. Mr. President, if the Senator will allow me to proceed until I present my reply to his speech, I shall be very glad then to yield to him. I can not possibly yield, however, just to have the Senator enter into a quarrel with me on everything that happens to come into his mind.

Mr. RANDELL. I do not want to do that, but the Senator has tried to put improper words into my mouth—

Mr. JAMES. Oh, no; the Senator is mistaken about that.

Mr. RANDELL. And I simply want to say that the only hope we have against the Sugar Trust is the competition of the domestic producers of sugar—largely the beet-sugar producers. They certainly are in no trust, and the Louisiana sugar producers are in no trust. But destroy the domestic sugar producers of Louisiana and the West and you will have it all controlled by a trust, and you are playing into the hands of a trust when you put sugar on the free list.

Mr. JAMES. That is like the Senator's statement yesterday, that Mr. Lowry was the agent of the trust. The Senator certainly knows better than that. Mr. Lowry is the agent of the independents that are trying to get free sugar for the American people. [Manifestations of disapproval on the Republican side of the Chamber.] I know I may find some "ah, ha's" upon the other side; I do not doubt that; but the people gave you enough to hold you for awhile last November. [Laughter and applause in the galleries.]

Mr. GALLINGER. Mr. President, this may be entertaining, but I rise to ask that the rules of the Senate may be enforced, and that applause in the galleries may be suppressed. We do not want a town meeting here to-day.

The VICE PRESIDENT. The Chair tried to suppress it the other day when the shoe was on the other foot. The Chair will ask the Sergeant at Arms to see that the galleries keep order.

Mr. GALLINGER. No, Mr. President; I take exception to the statement about the shoe being on the other foot. I simply ask that the rules be enforced.

The VICE PRESIDENT. The Sergeant at Arms will see that the galleries keep order, or he will clear them.

Mr. JAMES. The Senator's argument is that the word "legitimate" in the Democratic platform, where it says, "we advocate * * * legislation that will not injure or destroy legitimate industry," gives the Louisiana sugar growers the right to maintain this duty. The word "legitimate" is not written into the platform to mean "lawful"—that is, that you shall conduct your business so as not to get in the penitentiary, so as not to violate the criminal laws. The word "legitimate" means industrially legitimate, commercially legitimate. Can the Senator say that an industry in this country is legitimate that has had for 125 years aid from the Government and is not able now to sustain itself?

Mr. President, we may differ about Democratic platforms, but we can not differ about what Thomas Jefferson, the father of Democracy, said about that question:

Taxes on consumption, like those on capital or income, to be just, must be uniform. I do not mean to say that it may not be for the general interest to foster for a while certain infant manufactures until they are strong enough to stand against foreign rivals; but when evident that they will never be so, it is against right to make the other branches of industry support them.

That was Thomas Jefferson. He was the wisest seer of his time. No man before him and no man after him has ever proved himself the philosopher, the benefactor of humanity, that Thomas Jefferson did. His utterance was that it was unjust to impose a tax of that sort, and he further said:

When it was found that France could not make sugar under 6 h. a pound, was it not tyranny to restrain her citizens from importing at 1 h.? Or would it not have been so to have laid a duty of 5 h. on the imported?

That was the position of Mr. Jefferson, when we found we were unable to stand alone, and that we never should be.

The Senator told us here yesterday that sugar could be produced in Cuba for 2 cents a pound, and that it could not be produced in Louisiana for less than 3½ cents, and that if we took off the tariff it meant destruction of their industries.

Mr. President, I do not want to destroy any legitimate industry in this Republic. It has been suggested here that free

sugar would dismantle the sugar factories. I do not want to do that. But I rejoice that we have found a President of the United States who is standing in front of and resisting with all his might the dismantling of the humble homes of the people of this Republic. It is always easy to find some one who is willing to stand and defend the big things from being dismantled, while proceeding to dismantle the little ones by unjust taxation. I have read the position of Mr. Jefferson upon that question—it is the position of the Democratic Party.

Mr. President, there was no issue that was submitted to the American people that met with such popular favor as free sugar. Next to sugar, there was no act of the Democratic Congress that met with such favor as the excise-tax bill. Let me show the Senator what the Democratic textbook says upon that question:

RÉSUMÉ OF TARIFF WORK.

The following tabular statement presents a summary of the results of the tariff work in the House of the Sixty-second Congress:

Measure.	Equivalent ad valorem rates.		Estimated saving to consumers. ¹
	Import, 1911.	Democratic bill.	
Free list.....	\$18.75	Free.	\$390,000,000
Wool (raw, manufactures of).....	{ 42.20 87.65	{ 20.00 42.55	{ 20,000,000 52,000,000
Cotton.....	47.05	27.05	88,000,000
Metals.....	24.51	22.42	81,000,000
Chemicals.....	25.72	16.66	17,000,000
Sugar.....	53.95	Free.	115,000,000
Total.....			743,000,000

¹ 12-month period.

² Import, 1910.

The excise-tax bill would have transferred fifty millions of tax from the poor man's table to the rich man's profit.

Yet the Senator would have us believe that with the Democratic Party going forth before the country and presenting its reasons why it should have the support of the American people, the one schedule that gave to the American people the greatest relief, except that of the free list, was not indorsed by the Democratic national convention.

Mr. President, platforms are a bond of honor. This is a new age. As has been happily said by the President in the White House, it is a new day and a new freedom. When we find our President, who was elected upon this platform, standing like a stone wall, demanding that it shall be carried out, it is no time for other men to falter. The American people are eagerly watching the action of the Democratic Party; they demand that platform promises shall not be betrayed; they ask that the faith shall be kept. Our Republican friends passed the Payne-Aldrich bill; that, in my judgment, was a betrayal of their promise to the American people. If William H. Taft had possessed one-half the courage of Woodrow Wilson, he would have vetoed that bill, and bonfires would have burned in his honor upon every hilltop and in every valley in this Republic, and I have no doubt he would have been reelected President of the United States. But he signed it, and the people called him to account and sent him and his party to overwhelming defeat. We have a President now who writes upon the color lance of the Democratic Party, "No compromise; I am seeking none; I ask none; I want none. I am for free sugar and I am for free wool."

Mr. President, my friend from Louisiana refers to the speech of Secretary Redfield in which he said he did not want to destroy any legitimate industry. But the Senator knew when he was making that speech that Mr. Redfield himself, as a Member of Congress, had voted for the farmers and laborers' free-list bill placing all these various articles upon the free list. The Senator knew that Mr. Redfield had voted for free sugar. How could the Senator believe he was an honest man and construe his language in the light of his conduct by anything else except to say that certain articles which enter into the daily use of all the people of the country—necessaries of life—should be placed upon the free list? That was his act and that was his vote. Anything that he might have said in any statement given to the newspapers after he talked to the President must be construed in the light of his own action.

But the Senator tells us that the President of the United States has never said that he was for free sugar. The Democratic Party makes its platform, and the Democratic Party commissions a committee to go and notify the nominee. That committee bears with it a copy of the national platform. It presents that platform to the nominee and says to him, "Upon this platform we most respectfully ask your acceptance of the

nomination." Woodrow Wilson accepted this nomination upon this platform, and he has the courage to stand up to it—every letter of it.

But the Senator says that it was suggested at Baltimore by some one, the Senator does not tell us who, that the President was not antagonistic to a tax upon sugar. That is a rather indefinite statement, because you do not give us the name of anyone who had the authority to speak for him. I say here now, and I challenge contradiction of it, you can not find a human being to whom Woodrow Wilson ever declared he was in favor of a tax upon sugar.

The Senator talks about the speech of the President at Pittsburgh. All of the utterances of the President merely say what the Democratic platform says, that we do not want to destroy any legitimate industry.

Mr. President, the growing of bananas might possibly be accomplished in a slight degree in Vermont, but would anyone say that a tariff tax in order to sustain it would make it a legitimate industry? Not at all.

Mr. RANSDELL. Will the Senator yield for just one question?

Mr. JAMES. Certainly.

Mr. RANSDELL. I ask the Senator if he considers the great sugar industry of the West and the South a legitimate or an illegitimate industry?

Mr. JAMES. Oh, Mr. President, in answer to that statement I will say that I suppose the sugar industry of the South and of the West does not violate the law. I suppose in that way it is legitimate; that is, legally legitimate. But it is not economically legitimate. The Senator himself admits that when he asks to tax the American people in order to let it live.

But let me say to the Senator that you have fertile land in Louisiana. You grow sugar cane there. Your land is more fertile than our blue-grass fields in Kentucky. Our farmers grow corn and wheat. Does the Senator believe that it is right to tax our people in Kentucky, who go out and till the soil just as hard as your people do, and to take from their pockets money in order to make your industry profitable?

Mr. RANSDELL. Will the Senator allow me to answer that question?

Mr. JAMES. Certainly.

Mr. RANSDELL. If you can show any Kentucky industry that has been receiving a rate of duty for 124 years, and an industry which everyone admits will be destroyed if the duty is not continued upon it, like the sugar industry, which the very able Senator from Mississippi [Mr. WILLIAMS] yesterday admitted would be completely destroyed, which the chairman of the Committee on Ways and Means also admits will be completely destroyed, an industry—

Mr. JAMES. I did not yield for a speech.

Mr. RANSDELL. Let me state the question. An industry in the West, which has grown up in the last 25 years from nothing to producing nearly 650,000 tons of sugar every year, which has grown 1,800 per cent in 25 years, is certainly a legitimate industry. If that kind of an industry in your State is now going to be destroyed, I say I will vote 100 times to continue the duty upon it. Name the industry in your State.

Mr. JAMES. I differ from the Senator in his construction of the term "legitimate industry." In the first place, I stand for the same treatment of a Kentucky interest that I give to other people. The Senator wants a tax on sugar, but is willing to make lumber free. He is willing to make meat and bread free. He is willing to make boots and shoes free. Why do you not accord to other industries in this country the same treatment that you ask for yours? They have not had tariff protection for 124 years.

Mr. RANSDELL. Will it destroy those industries to take off the tax?

Mr. JAMES. They said it would; but you did not pay any attention to it. They all told us it would destroy them, and you and I and BROUSSARD all voted to place them on the free list.

Mr. RANSDELL. Does not the Senator admit that it would destroy the Louisiana industry?

Mr. JAMES. Mr. President, it is immaterial from my standpoint what might be the effect upon the Louisiana industry. In the first place, I do not believe it would destroy it. In the second place, the Senator has no right to ask all the American people to continue a tariff 124 years old for any industry which, during all these years, is not able to supply the domestic demand nor practically more than 25 per cent of it.

Mr. RANSDELL. Do you think you know better about the effect on this industry than the Senator from Mississippi or the gentleman at the head of the Ways and Means Committee?

Mr. JAMES. I do not care to draw any invidious comparison between my opinion and the opinion of the Senator from Missis-

sippi, or between what I think and what the chairman of the Ways and Means Committee of the House thinks. I think they are both splendid Democrats and their opinions are entitled to great respect.

Mr. RANSDELL. You ask about my vote on the other matters. Do you think it would destroy the lumber industry of this country to place lumber on the free list?

Mr. JAMES. Certainly I do not.

Mr. RANSDELL. Do you think it would destroy these other articles to place them on the free list?

Mr. JAMES. You have no right to ram your hand into the people's Treasury in order to maintain an industry that can not stand upon its own legs after it has had 124 years' trial.

Mr. RANSDELL. Then, why do you not put everything on the free list? Put them all on the free list, and I will vote for free sugar.

Mr. JAMES. The Senator surely would not do that, because the Senator told us with great solemnity yesterday that he had given a promise to the people of Louisiana that under no condition would he betray them—that he never would vote for reduction of duty on sugar—and surely the Senator would not vote for free sugar. You must retract that statement made in the heat and anger of the moment. The Senator will want to take it out of the Record.

Mr. RANSDELL. Never will I want to take it out.

Mr. JAMES. I ask that I may proceed.

Mr. RANSDELL. I make the statement with the understanding that if you will take the tariff duty from everything my people have to buy, from all the implements and all the clothing and everything they buy and put them on the free list, we will stand for free sugar, though I do not wish to be understood as advocating any such proposition as that.

Mr. JAMES. That is, if they will do the impossible thing, the thing that can not be done, a thing that you know will not be done, you will do the thing you know now you will never be called upon to do.

Mr. RANSDELL. Why do you single out sugar for slaughter and provide for a duty on other things?

Mr. JAMES. I have answered that four or five times. We are placing various things on the free list.

I wish to say in conclusion, Mr. President, that what I have said to the Senator here, the utterances I have given, have not been in anger. They have been rather according to that Biblical statement, "Whom the Lord loveth he chasteneth." [Laughter.] I have not meant to be harsh. I have meant only to be emphatic.

I stand, Mr. President, for free sugar and for free wool. I am earnestly in favor of carrying out the letter and spirit of our national platform. I am prepared to uphold the hands of Woodrow Wilson, the greatest President we have had in this Republic in 50 years, and, in my judgment, one who has the American people back of him this hour as no man has had since the days of Andrew Jackson.

The VICE PRESIDENT. The Chair desires to state to the Senator from New Hampshire [Mr. GALLINGER] that the Chair was out of order a little while ago and hopes the Senator will understand that it was not intended to be unparliamentary nor personal to the Senator.

Mr. GALLINGER. No; if the Chair will permit me, I certainly have the profoundest respect for the Chair, and I will not say anything or intimate anything to the contrary.

The VICE PRESIDENT. The Chair felt it his duty to the Senator from New Hampshire to make this statement.

Mr. NORRIS obtained the floor.

Mr. GALLINGER. Will the Senator from Nebraska yield to me one moment?

Mr. NORRIS. I yield.

Mr. GALLINGER. In view of what has occurred during the past two days, I want to read three lines from *The Rivals*. Sir Lucius O'Trigger is a famous character in the play, and he said:

Pray, sir, be easy; the quarrel is a very pretty quarrel as it stands; we should only spoil it by trying to explain it.

Mr. NORRIS. Mr. President, about a year ago the Department of Justice began a suit entitled the United States against Herman Sielcken and others, in the United States district court in the city of New York. The object of the suit was in reality to bring about the breaking up of a great international trust that had gained control of the sale and the distribution of coffee throughout the entire world. Soon after the administration changed the suit was dismissed. I introduced a resolution in the Senate calling upon the Attorney General for certain information and certain documents in relation to the dismissal of that suit. That resolution was passed, and the Attorney General has made his reply.

Before I proceed to comment upon that reply I want briefly to review the situation in regard to the so-called valorization of coffee. In 1906 Sao Paulo, one of the States of the Brazilian Government, undertook to purchase coffee upon the markets of the world and take it out of the commerce and trade of the world, with the view of controlling the price. Bonds to the amount of \$15,000,000 were issued and taken by various bankers in Europe and in America. One-third of the amount was taken, I believe, by the National City Bank of New York. After this scheme had been undertaken it was discovered that the magnitude of the undertaking was too great, and with the amount of money that they had realized from the sale of these bonds they were going to be unable to successfully carry out the plan. In the year 1908 another plan was agreed upon by which \$75,000,000 of bonds were issued by the State and placed upon the markets of the world.

The defendant in the suit about which I expect to talk a little later, Herman Sielcken, was the great master mind that brought about the successful operation of this great international trust. These bonds were issued by the State of Sao Paulo. They were guaranteed by the Brazilian Government, and laws were passed prohibiting the planting of coffee trees in Brazil. A surtax was levied upon the exportation of coffee from Brazil, and a general agreement was entered into between the men who had charge of these bonds and the Brazilian Government in order to be able to carry out the object of controlling the world's market price in coffee.

Mr. President, in addition to the security of this State and the guaranty of the Brazilian Government and the surtax that was levied by the Brazilian Government upon the exportation of coffee, the coffee itself that was purchased with this money was put up as security for the payment of the bonds.

On the 26th of April, 1911, in the House of Representatives, I went into detail and showed fully the names of all the men who furnished the money, the proportion of the bonds which they took, and all the details of the agreement. At this time I only want to review it briefly, in order to explain what I want to say in regard to this particular suit. I showed at that time that this combination, this international trust, had been successful, and that during the time they were in operation, up to the day I made those remarks in the House, the price of coffee had more than doubled; that from the time of the second arrangement the price of coffee had been steadily advancing step by step until the price had more than doubled.

I might say, by the way, that I explained there what I believed to be the duty of the Department of Justice, and called attention to what I believed to be a violation of law by the men who were engaged in this gigantic scheme that laid them liable both to a civil and a criminal prosecution under the laws as they existed, chiefly the Sherman antitrust law.

But later on I introduced a bill that during the last session of Congress was enacted into law. It was an amendment of sections 73 and 76 of the act of August 27, 1894, which I believe more completely declared the legislative opinion as to the illegality of this kind of a trust than had existed before. And at this point, Mr. President, I will ask the Secretary to read sections 73 and 76, as they were amended by the bill I introduced in the last Congress.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

SEC. 73. That every combination, conspiracy, trust, agreement, or contract is hereby declared to be contrary to public policy, illegal, and void when the same is made by or between two or more persons or corporations either of whom, as agent or principal, is engaged in importing any article from any foreign country into the United States, and when such combination, conspiracy, trust, agreement, or contract is intended to operate in restraint of lawful trade, or free competition in lawful trade or commerce, or to increase the market price in any part of the United States of any article or articles imported or intended to be imported into the United States, or of any manufacture into which such imported article enters or is intended to enter. Every person who is or shall hereafter be engaged in the importation of goods or any commodity from any foreign country in violation of this section of this act, or who shall combine or conspire with another to violate the same, is guilty of a misdemeanor, and on conviction thereof in any court of the United States such person shall be fined in a sum not less than \$100 and not exceeding \$5,000, and shall be further punished by imprisonment, in the discretion of the court, for a term not less than 3 months nor exceeding 12 months.

SEC. 76. That any property owned under any contract or by any combination, or pursuant to any conspiracy, and being the subject thereof, mentioned in section 73 of this act, imported into and being within the United States or being in the course of transportation from one State to another, or to or from a Territory or the District of Columbia, shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law.

Approved, February 12, 1913.

Mr. NORRIS. Mr. President, my own judgment is, from the investigation that I have been able to make—and I will show be-

fore I get through that that judgment was concurred in by the Department of Justice—that the men who were engaged in this gigantic plan to corner the coffee of the world, the men who furnished the money, as well as the men who furnished the brains to concoct the scheme, were all equally liable. I concede, speaking in reference to these bonds now, that bonds secured as these were, if placed upon the market and sold in the ordinary course of business, would carry with them no imputation of dishonesty or dishonor to any man who furnished the money to buy them.

Mr. HITCHCOCK. Will the Senator from Nebraska yield to me?

The VICE PRESIDENT. Does the Senator from Nebraska yield to his colleague?

Mr. NORRIS. I yield to the Senator.

Mr. HITCHCOCK. I did not fully understand by whom these bonds were issued.

Mr. NORRIS. I will repeat it as soon as I finish this statement.

In this particular case, however, before these bonds were issued, before any money was put up, the men who furnished the money, the men who were instrumental in bringing about the scheme or plan, knew in advance and demanded in advance—

First. That the bonds should be issued by the State of Sao Paulo.

Second. That they should be guaranteed by the Brazilian Government.

Third. That the Government continue in force laws that should prohibit the planting of coffee trees in order to curtail the future output.

Fourth. That the Government should pass a law providing for the collection of a surtax on every bag of coffee shipped out of Brazil, this tax to be remitted weekly to the bondholders' committee and to be applied in the payment of expenses and interest on the loan.

Fifth. That the bonds should draw 5 per cent interest and should be given to the men who furnished the money at 85 cents on the dollar.

Sixth. That in case the surtax and the limiting of the planting of trees should not sufficiently limit the future production, that an additional ad valorem tax should be levied on all coffee exported above a certain number of bags stipulated in the agreement.

Seventh. That the proceeds of the bonds, after paying expenses and discounts, and so forth, should be used for the purchase of coffee on the market, and that the coffee so purchased should be taken out of the ordinary channels of trade and held as further security for the loan.

Eighth. That the sale of this coffee so purchased should be under the control of a committee of seven, one member of such committee to be selected by the American bankers, one to be selected by each of the five European bankers, and the seventh by the Government of Sao Paulo.

Afterwards, when the scheme was completed and carried out, Herman Sielcken was selected as the American member of this managing committee and is still serving in that capacity.

These men knew in advance, before a dollar was furnished, the details of the scheme, the intention of which must necessarily have been to increase to the consumers of coffee the amount they would have to pay for it, to interfere with and restrain trade in coffee between this country and Brazil.

We are the largest consumers of coffee in the world. In some of the documents that I shall ask to have printed in the Record it will appear that we consume from 40 to 50 per cent of the world's production of coffee and that we get from Brazil about 80 per cent of the coffee which she produces.

The man who did the most in negotiating the deal was Herman Sielcken, the defendant in this suit. He was assisted at all times in his subsequent action in trying, first, to prevent legislation by Congress, and second, in trying to prevent the Department of Justice from enforcing the laws of Congress, by the representatives of the Brazilian Government.

Mr. President, I believe it must be conceded that when a sovereign government, one of the great governments of the civilized world, leaves its proper sphere, comes down into the marts of trade, and buys and sells and traffics in articles of produce that are bought and sold upon the market, it leaves behind it its sovereign character and subjects itself to the same laws and the same rules and regulations that every individual who trades in the markets subjects himself to.

When the bill I have mentioned was pending in Congress we find Mr. Sielcken doing everything he can to prevent the enactment of the bill into law. Under his influence the coffee men who have been favored by him, and perhaps some of the coffee men who are afraid of him, held a meeting in New York and passed resolutions condemning it. Mr. Sielcken himself, from

his palatial home in Europe, cabled an interview to the American press in which he held the law up to ridicule, claiming that it was of no effect, could not be enforced, meant nothing, and would amount to nothing. While this was going on, however, before the public and in the newspapers a different procedure was being enacted behind the scenes in the State Department. There efforts were being made not only to prevent the passage of the bill, but to prevent the enforcement of the law after it had been passed and to bring about the dismissal of this suit against Sielcken. There it was given the most serious consideration, and it was claimed that unless this concession was made to this valorization scheme and the laws of our country not enforced as against this international trust that the Brazilian Government would take retaliatory measures and withdraw some of the concessions she had been in the habit of making to some of the products of this country that are imported into Brazil. The Brazilian Government had been enjoying particular favors in tariff concessions from our country. Over 99 per cent of everything she produces is admitted to the ports of the United States free of duty. To partially repay this liberal concession Brazil had given some tariff concessions to this Government on flour and a few other articles. So while the emissaries representing the financial end of the scheme were trying to control congressional action through newspaper publicity the Brazilian Government was trying to do the same thing through the State Department, mildly threatening a tariff war against the products of the United States.

I found not very long ago in a great many newspapers in the United States something similar to this. I have a large number of them from leading newspapers in the United States. I will only read this one. The statement is substantially the same in every newspaper, though in different language, the idea always being the same:

UNITED STATES LOSES BRAZIL'S TRADE—LOSS OF \$3,000,000 ANNUAL BUSINESS DUE TO COFFEE SCHEME BAN.

The \$3,000,000 annual flour trade of American millers with Brazil, as well as a lucrative business in cement, typewriters, certain classes of machinery, and other American products, probably has been finally lost, owing to the resentment of the Brazilian Government at the breaking up of the coffee valorization scheme by the Department of Justice.

The Brazilian ambassador, Señor Da Gama, has had several conferences with State Department officials, and has now let it be known that his Government will decline to extend hereafter the differential of 30 per cent in customs dues on those American products. In consequence the Argentine millers will early command the Brazilian market.

As I say, this dispatch, or the substance of this dispatch, appeared in all the leading daily papers of the country. Brazil proceeded to carry out its threat, and I understand has withdrawn some of the advantages that heretofore existed in regard to the importation into that country from this of some American products, notably flour.

Mr. President, I believe and I hold that, even though Brazil were able seriously to interfere with our foreign commerce and our foreign trade, we could not, with that kind of a veiled threat, refuse or neglect to enforce our laws against Brazil and these international bankers who are engaged in this so-called valorization of coffee. We can not afford to do this, because it is not fair or right that Brazil should ask it. She can not honorably ask for herself and for Mr. Sielcken and his moneyed associates any concession or any favor that our laws do not give to our own citizens. We can not honorably submit to it, even though a refusal to do so would mean the loss of all our foreign trade. She can not honestly ask it; we can not honorably agree to it.

In addition to that, there is another reason why we should not submit, which ought to appeal to those who take only a selfish view of the situation. Brazil is living in a glass house. The American people, by the consumption of coffee, have made it possible for this gigantic scheme to succeed. If the American people would cease to use coffee for three months, the Brazilian Government, these international bankers, and Herman Sielcken, the defendant in this suit, would be on their knees begging for mercy.

Mr. President, that gigantic scheme is sometimes said to have been intended for the benefit of the Brazilian coffee planter. I would not find fault, and I do not believe anyone would have a right to find fault, with the Brazilian Government if it does anything that it can honestly and fairly do for the benefit of any of its citizens; but let us see how much this gigantic scheme has cost and who profits by it.

Before a dollar was taken, before the loan was made, it was agreed by this committee and the officials of that State in Brazil—the Brazilian officials—that these bonds should be taken at 85 cents on the dollar. The bonds draw 5 per cent interest, and, counting the time they have to run, the interest rate would amount to about 9 per cent. Mr. Sielcken, in his testimony before one of the committees of the House of Representatives some time ago, admitted that these were the best se-

cured bonds that he had ever had anything to do with—in fact, they were drawing 9 per cent interest. They were secured by the guaranty of a State of Brazil that has never repudiated or failed to pay a dollar of her debt; they were guaranteed by the Brazilian Government; and then the coffee bought with the money or with the money that was left after the fellows in the scheme took what belonged to them—the balance was invested in coffee, and that was put up as security. That coffee was kept in different warehouses in various parts of the world. Then the Brazilian Government levied a tax of 5 francs on every bag of coffee that went out from Brazil, and that money was remitted to this bankers' committee, who used it to pay the expenses and to pay the interest on the bonds. The Brazilian Government then by law provided a heavy tax on the planting of coffee trees in Brazil. So we really have the same situation as though the great State of New York would issue \$75,000,000 of bonds, invest the proceeds in something that was produced almost entirely within the limits of New York, then would sell bonds at 85 cents on the dollar, invest the money in that product, whatever it might be, put it up as security, and then, to prevent an overproduction, later pass a law that would limit the production, and then, in addition to it all, the United States Government would guarantee the bonds.

A report was made by one of the officials of the Brazilian Government showing the expense up to the 30th day of September, 1910. As I have said, there was a discount of about \$11,000,000 to begin with:

The payment of storage, freight, fire and marine insurance, interest on drafts against shipments, interest on advances in account current, commissions for opening credits, various expenses connected with the storage of the coffee, interest on loans, difference in "type" of loans, difference in exchange on drafts against shipments—amounted to over \$50,000,000 up to that time.

So that after all the poor coffee-tree planter in Brazil, who in the end has to pay the bonds and the interest, is not going to profit very much by this proposition. When this coffee was bought Mr. Sielcken, through his firm of Crossman & Sielcken, assisted in purchasing the coffee with the money that was realized from the sale of these bonds. Sielcken, representing the bankers, purchased a part of the coffee that was bought with this money from Sielcken himself or from his firm. His own testimony shows that later on he bought some of the valorized coffee when it was put on the market; in other words, as the agent for the bankers' committee he sold to himself and then he sold it to the trade at a profit. So we have the peculiar condition, so far as this man is concerned, of first representing the Brazilian Government, taking this money and buying coffee from himself for the valorization committee; and then, as representing the committee, selling to himself and then selling the same coffee to the trade. It is presumed he made a profit when, as the owner of the coffee, he sold it to himself as a member of the committee. Then, as a member of the valorization committee, he received a commission when he sold it to himself; and then, as a member of his firm, he made another profit when he sold it to the trade.

The agreement provided that this committee should get 1 per cent upon all the coffee they sold. Under the agreement they also provided themselves with an office in the city of London and paid for the employment of clerks and other necessary expenses, discounts and all amounting, as I have said, to over \$50,000,000. The expenses connected with the first loan of \$15,000,000—a scheme that Mr. Sielcken negotiated and worked out through his own master mind—amounted to 24 per cent of the amount of the loan. So that of these bonds, the best secured bonds and drawing the highest rate of interest, in my judgment, of any bonds that ever have been issued in the civilized world, the great bulk of them we find going in the shape of expenses, discounts, and profits to the men who concocted the scheme and who carried out the plan.

Now, let us see how they could handle the coffee trade of the world, and particularly of the United States, by holding out from the markets of trade this immense quantity of coffee. The dealers in coffee in New York and throughout this country who did not "stand in" with Hermann Sielcken did not know and never did know what was going to happen the next day to the coffee market. I have here the New York Journal of Commerce of March 31, 1911, where it gives the course that was pursued in Europe when they sold valorized coffee, and compares it with the proceeding that took place in the United States when valorized coffee was sold. I read from it:

The New York coffee trade, except those who will be unduly favored by this remarkable condition of affairs, are disgusted at the proceedings. Trade has recently been completely disorganized, and some important members of the trade believe that an open and fair coffee market can not exist until the entire stock of valorized coffee has been sold. Representatives of the Government have recently been interviewing members of the coffee trade in this city, collecting data for an investigation of the Coffee Trust.

Then it goes on to say that when valorized coffee was sold in Europe it was sold at public sale. Any man who wanted to bid on it had the right and the privilege of doing so, and notice was given to him by public advertisement to go to the place where samples were kept and examine samples of the coffee, so that they bid with their eyes open. Every man had a right to bid as he saw fit.

In New York, when the valorized coffee was sold in this country, it was sold in secret. It was sold, as the evidence discloses, often—always, I think—with an agreement that it should not be reoffered for sale on the coffee exchange.

This article goes on to show that such has always been the case in the sale of valorized coffee. So that unless men understood just what was going to be done with the amount of coffee that might be placed upon the market by this committee represented by Mr. Sielcken, they had no way of knowing whether coffee was going up or whether it was going down. They knew that this syndicate held in their own hands millions and millions of bags of coffee that they could, if they so desired, secretly sell among their friends—that, in reality, would mean no sale. They had, in effect, control of the market. They made what are known in the trade as restricted sales.

I find, among the papers sent up, a memorandum made by one of the agents of the Government in regard to these sales:

With regard to "restricted sales," Burroughs told me that Crossman & Sielcken, 90 Wall Street, representing the bankers' committee, and through them the Brazilian Government, and Arbuckle Bros.—the two principal offenders.

The "offenders" are the men who sell at restricted sales.

By "restricted sales" are meant, to quote from an article in to-day's Journal of Commerce—and which are, in fact, Burroughs's own words—those which, by formal contract, or gentlemen's agreement, or other subterfuge, are made below the market price, on condition that the coffee shall not be delivered on contracts on the exchange. In other words, the plan is to create an artificial shortage, so far as coffee deliverable on the exchange is concerned, and thus prevent the full supplies of coffee available in this country from becoming a factor in the official New York price for coffee.

There is not any doubt but that these sales were in reality made in secret.

When we remember that an increase of 1 cent a pound on coffee means \$10,000,000 from the coffee consumers of the United States, we can realize what this gigantic scheme amounts to.

Mr. Sielcken's defense of the matter is that he was desirous of encouraging trade between the United States and Brazil; he was desirous of bringing the two countries on a more friendly basis. He had no thought, he said, of increasing the price of coffee to the consumer; and he even denied that the valorization plan would tend to increase the price of coffee. Yet in the midst of it all the Brazilian records show, in an official report made in Brazil, comparing the prices of coffee before the beginning of the scheme and afterwards, the true result.

The official making the report compares the prices of coffee for four years preceding valorization and the prices for four years afterwards. During the first four years of the valorization scheme the production of the world's coffee attained its highest point. The largest world's product of coffee was during one of those years. He goes on in this report to say:

There is no foundation whatsoever to the suggestion which has sometimes been made that the benefits which followed the Government's action were due simply to natural causes and were not in any way influenced by such action. What happened was just the contrary, and it may be easily verified by examining the figures for the crops of four years preceding and four years succeeding the intervention.

Then the official goes on to show what the crops were. He shows that for the four years preceding the so-called valorization the average yearly production of the world's coffee was 15,574,000 bags, and that for the four years following the commencement of the valorization scheme the average world's production of coffee was 18,418,000 bags, showing that while the production of coffee was increasing at an enormous rate the price of coffee was going up, and in the meantime had doubled. While an overproduction was going on the consumers of coffee were required to pay twice the amount they paid before for their coffee.

As I have said, Mr. President, the master mind that has done all this, more than any other one mind, is that of Hermann Sielcken; and his defense is that he was really a philanthropist trying to be good to people that he was punishing.

Mr. President, I believe every man is responsible to his Creator for the talents that have been given him. If he possesses wisdom, if he possesses wealth, if he possesses power, he is and ought to be held accountable by humanity for its use. The man who has more wealth than he can possibly use himself and more than can possibly be enjoyed by those who are dependent upon him and who uses that wealth to oppress the poor or to increase the hardship of those who toil has, in my

judgment, committed a greater sin in the eyes of God than any offense that can be committed against any man-made law.

If you are suffering with hunger and some man steals your dinner, it will not appease your appetite to be afterwards informed that he stole it because he loved you, or because he thought it would not be good for you to eat it; and it will not increase your respect for his love and his philanthropy if you afterwards learn that after he stole it from you he sold it at exorbitant figures to some other hungry mortal.

I have some little respect for the bold highwayman who, in broad daylight, on the public highway, holds you up and takes your purse, but I have no respect for the man already reeking with wealth who stands at the doorway of every humble home and with itching palm outstretched compels unwilling tribute in pennies from millions of God's poor.

Mr. President, while this bill I have mentioned was pending in Congress and before it was passed Mr. Wickersham, the then Attorney General, commenced suit against Herman Sielcken and others, the object of which was to compel the sale upon the open market of something over 300,000 bags of coffee that this committee then had in store in the city of New York. He commenced that suit before we had passed the law that has been read in your hearing.

Mr. CRAWFORD. Mr. President, will the Senator permit me to ask him a question?

Mr. NORRIS. I will.

Mr. CRAWFORD. I wanted to get in my mind all the material facts that underlie this matter. Do I understand that originally the coffee planters themselves incurred the obligation represented by these bonds, and that the State of Sao Paulo guaranteed their obligations, and then the Brazilian General Government in addition guaranteed them?

Mr. NORRIS. No; the Senator does not have it quite right. The bonds were regularly issued by the State of Sao Paulo.

Mr. CRAWFORD. Without the original obligation coming from the coffee planters?

Mr. NORRIS. Yes. They were regular Government State bonds, issued by that State.

Mr. CRAWFORD. Then who owned the coffee that was sequestered to secure the bonds? Did the Brazilian Government buy that and turn it over to the bondholders or does it belong to the coffee planters? That is the only other question I wanted to ask.

Mr. NORRIS. I will make it plain to the Senator. They entered into an agreement with the Government, and the agreement provided that this entire scheme should be under the control of a committee of seven. The American member of that committee is Herman Sielcken, the defendant in this suit, and the other members of the committee represent the other six Governments where money was furnished. Our bankers here, the National City Bank of New York and the First National Bank of New York, represented by Mr. Sielcken, furnished ten millions of these seventy-five millions of dollars. The agreement provided that there should be a committee of one from each of these financial institutions and that the Government of Brazil should appoint another member, making seven, and that this committee of seven should have control of the coffee—control of its sale, its storage, and so forth—under certain stipulations and limitations that were contained in the agreement.

The coffee was bought, then, by this committee. The coffee, whenever they decided to sell any of it, was sold through this committee. At one time, when there was just a little fear that the production might continue to increase, the committee seriously considered the proposition, and consent was given by the Government to take into the ocean coffee from Brazil and sink it into the sea. At another time they proposed that they would burn one-tenth of the coffee in order to prevent an overproduction, in order to make good the price of coffee, which would make good these bonds and make sure the repayment of the money that had been given for the bonds by the different bankers.

Mr. CRAWFORD. Did they ever actually do that?

Mr. NORRIS. They never actually did that. They did, however, provide—and the agreement provided that it should be done—that this surtax should be levied upon all coffee exported from Brazil, and that that should be remitted weekly to this committee to pay their expenses, and to pay interest, and so forth. They provided also, in order to guard against any future big crop of Brazil, that beyond a certain amount of exportation of coffee in every year a heavy export tax should be levied, running up as high as 20 per cent, in order to prevent and discourage the larger production of coffee.

I believe, when the Senator interrupted me, I was just ready to speak of this particular suit which the Attorney General had commenced.

Mr. CRAWFORD. I did not want to divert the Senator.

Mr. NORRIS. No; the Senator's question was enlightening, and I am glad he interrupted me.

The Attorney General began this suit on the theory that under the broad equity powers of the court, after he had alleged in substance these facts that I have given, he would be entitled to an order of the court compelling a sale of that coffee. He asked for a restraining order which, in effect, would restrain the dock company—the company that had the coffee actually in its possession in storage—from permitting it to go out of the jurisdiction of the court.

This preliminary injunction was denied by the court, and I believe rightly. I can not help but believe that the Attorney General expected it would be denied, because there was no assurance—there was no belief, in fact—that the coffee was going to be taken out of the jurisdiction of the court. The real object of the suit was to compel its sale.

While that suit was pending negotiations sprang up between the attorneys in the suit, and the Attorney General agreed that he would dismiss the suit if they would make a bona fide sale of the coffee. They agreed to do this, and claimed that they had done it; but the Attorney General, not being satisfied with the bona fides of the sale, refused to dismiss the suit.

Now, I want to give you, from some of the papers that have been sent up here by the Attorney General, some things that have a direct bearing not only upon this particular suit, but upon the question of valorization in general.

June 3, 1912, after this suit had been commenced, the Attorney General wrote a letter to the President, in which he cited his authority for the suit and told the President, in substance, all the details of the suit. I ask, without reading, to have that letter printed in the RECORD.

The VICE PRESIDENT. If there is no objection, that will be done.

[The letter appears at the end of Mr. NORRIS's speech.]

The VICE PRESIDENT. Will the Senator from Nebraska suspend for just one moment? The morning hour having expired, the Chair lays before the Senate the unfinished business, which is Senate resolution 37; and in accordance with the unanimous-consent agreement the unfinished business is now temporarily laid aside until the disposition of the motion to refer House bill 3321. The Senator from Nebraska will proceed.

Mr. NORRIS. Mr. President, September 16, from New York City, Attorney General Wickersham wrote a letter to the Secretary of State. It might be well for you to note that all the time negotiations, through the representatives of the Brazilian Government, were taking place in the Department of State with reference to this suit and with reference to the enforcement of any law against this valorized coffee. In this letter the Attorney General says:

42 WEST FORTY-FOURTH STREET,
New York, September 16, 1912.

The honorable the SECRETARY OF STATE.

SIR: Your letter of September 5 is just received by me, owing to my absence for a fortnight past in the White Mountains. It is rather significant that the interview reported to you by telegram, received at the department on the 4th instant, between the Brazilian minister for foreign affairs and the American ambassador to Brazil, should have been almost coincident with the receipt at the department of a letter from Mr. Crammond Kennedy, the attorney for Mr. Hermann Sielcken, in which that gentleman informs me that an adjustment which I had supposed had been practically arranged with Mr. Sielcken can not be carried out. At Mr. Kennedy's request I had agreed to delay any further proceedings in the case until his return to this country in September, in order that Mr. Sielcken might have the opportunity to lay my final offer in response to his overtures of settlement before his associates. Mr. Kennedy now informs me that the Brazilians are unwilling to enter into the arrangement suggested, and he argues at some length that to continue the prosecution would endanger the good relations existing between the United States of Brazil and the United States of America.

In the opinion of this department the valorization scheme, in so far as it has been carried out in this country, has involved a willful and deliberate violation of the laws of this country and has resulted in doubling the price to our citizens of a commodity of common use, and has subjected all concerned in this country to prosecution under our laws. Mr. Sielcken has filed a demurrer to the petition brought by the Government under the Sherman Act, and it may be desirable to try out that demurrer in order to allow the court to pass upon the legal question arising upon the facts presented. If, however, as a matter of international policy it should be deemed better not to push that suit, the department is prepared to submit the facts in the case to a grand jury, and I have no doubt that the indictment of Mr. Sielcken, and possibly some others, would follow. I can not well deal with this question fully until my return to Washington, when I shall hope to confer with the Secretary of State about it. Meantime I am advising Mr. Kennedy of my regret at the attitude taken by his clients and my entire unwillingness to enter into any agreement with him which involves a recognition in the slightest degree of either the legality or the propriety of the valorization plan or the acts done pursuant to it.

Very respectfully,

GEORGE W. WICKERSHAM,
Attorney General.

I think, Mr. President, we can very well conclude from the correspondence of the Attorney General, both from this letter

and others, particularly the one that I have had printed in the RECORD, that continually there were representations made to him through the State Department, and that the representatives of the Brazilian Government, perhaps through our State Department, had taken it up with the President of the United States and that the President had conferred with the Attorney General in regard to it. Here is a letter from the Attorney General of November 6, 1912, to the United States attorney in New York who had personal charge of the case:

NOVEMBER 6, 1912.

UNITED STATES ATTORNEY, New York, N. Y.

SIR: I have your favor of 25th ultimo about the case of United States v. Sielcken and others. I have also a letter from the State Department making some suggestions regarding the disposition of the matter which have come from the Brazilian ambassador, and which will require some conference with the State Department before I can determine the attitude which this department should assume toward the suggestion made. Under these circumstances—

He goes on then to ask him not to take up the case until he hears from him again. It is safe to assume that he had further correspondence and that he had interviews with the President in regard to it, and that he was laboring particularly in the letter which I have had printed in the RECORD to have the President understand what kind of a case he had, and that he was interceding with the President to induce him, if he could, not to demand that this suit be withdrawn or that it be dismissed. So it is not surprising that a little later—

Mr. NELSON. Will the Senator allow me an interruption? It comes in here.

Mr. NORRIS. I will.

Mr. NELSON. I simply desire to say that my recollection is that the bill the Senator referred to at the outset was reported by me from the Judiciary Committee, and that we had a letter before that committee from Mr. Wickersham recommending the passage of the bill.

Mr. NORRIS. Yes.

Mr. NELSON. He was very earnest for this legislation. I think he ought to receive credit for it.

Mr. NORRIS. I am going to give him credit for it. Mr. President, I am very glad that the Senator interrupted me; I might have forgotten it. I will take this occasion to say that no man did more than Attorney General Wickersham, in my judgment, not only to amend the law in order to make it stronger, but to do his full and complete duty in this case and in fighting the great scheme of valorization. He did it no doubt under circumstances that were harassing. I know he did everything he could after the bill had passed the House, when it was before the Senate committee, to induce the committee to give it consideration and to induce the Senate to pass it.

Now, a little later, November 22, 1912, I find this letter was written to the Attorney General:

THE WHITE HOUSE,
Washington, November 22, 1912.

HON. GEORGE W. WICKERSHAM,
Attorney General.

MY DEAR MR. ATTORNEY GENERAL: I send you herewith a note from a friend of mine, named Schmidlapp, who knows Sielcken. The language of Sielcken is such as to indicate that he is not telling the truth; but I refer it to you for such comment as you wish to make.

Sincerely, yours,

WM. H. TAFT.

In answer to that letter, under date of November 25, 1912, the Attorney General writes as follows:

NOVEMBER 25, 1912.

The PRESIDENT, the White House.

DEAR MR. PRESIDENT: I have yours of 22d instant, inclosing a letter addressed to you by Mr. Schmidlapp, who incloses one to him by Mr. Sielcken, a defendant in the coffee valorization suit.

His statement of what the assistant in charge of this case has said, I believe to be absolutely untrue. In the second place, the statements about the suit are silly, because it was brought only after a most careful and thorough investigation of the whole subject; and his statement of what the court said in denying the motion for an injunction is also wide of the facts. The whole difficulty of the case is that Sielcken has been shielding himself behind the Brazilian Government; and the only reason why I have not brought on for argument the demurrer to the petition filed in New York is because of the pendency of negotiations opened on behalf of the Brazilian Government or Sielcken—I am not quite sure which, because made by the attorney who represents both of them—to do voluntarily precisely all that this equity suit can accomplish, namely, to compel the sale in New York, free and clear of all restrictions, of some 900,000 bags of coffee now stored there, subject to the control of the valorization syndicate. My own firm belief is that Sielcken ought to be indicted, and that he would be convicted of a violation of the Sherman law if the facts were related before a jury; but in view of the relation of the Brazilian Government to the matter I have yielded to the wishes of the State Department to avoid further public discussion of the matter, provided a satisfactory result can be reached. The operations of this syndicate have already extracted more than \$10,000,000 of unlawful profit from the pockets of American consumers of coffee. But that is gone. What I am trying to do now is to prevent further acts which would levy an additional toll of the same kind on the remaining undisposed of coffee.

A few days since Mr. Crammond Kennedy, who is counsel for both the Brazilian Government and Sielcken, stated to me that he could satisfy me that the entire amount of 920,000 bags would be sold probably before the 1st of January, and he asked me to dismiss the suit on the assurance that this would be done. I told him that if I had satis-

factory assurance that it would be done, I would be willing to dismiss the suit, making at the same time a public statement of the reasons for so doing. He objected to this statement being made now. I then told him that when the coffee was sold and I was satisfied of that fact, I would dismiss the suit, at that time making a statement of the reasons for so doing. He went away to consider which of the two courses he would prefer to have adopted, and in the meantime I am withholding any further proceeding in the civil suit, although I have a brief ready for the argument of the demurrer, and I am entirely satisfied that the Government has a perfectly good case. I have collected additional evidence regarding Mr. Snelcken's relation to the subject which strengthens the opinion which I expressed concerning his liability for violation of the statute.

I return the correspondence you sent me.

Faithfully, yours;

GEORGE W. WICKERSHAM,
Attorney General.

Mr. NELSON. That was in November?

Mr. NORRIS. It was in November, 1912.

Mr. CRAWFORD. The one just read?

Mr. NORRIS. November 25, 1912.

Mr. President, that gives the Senate an idea not only from my statement of the facts from the investigation that I have made, but from the investigations made by the Attorney General and the Department of Justice, as to what kind of a scheme this was and what kind of a case the Attorney General had. I was very much surprised not many days ago to learn that this case had been dismissed—or I was surprised a few days before that to learn that it was going to be dismissed.

It was claimed that this coffee was sold, and they asked the Department of Justice, under the present Attorney General, to dismiss it in accordance with the agreement made with Attorney General Wickersham that it would be dismissed if the coffee was sold. The question arose at once, Has the coffee been sold? The Attorney General dismissed the suit, and at the time of doing it he issued this public statement. This is from Attorney General McReynolds—

Mr. CRAWFORD. What is the date?

Mr. NORRIS. April 16, 1913.

The Government's action in the so-called "valorization coffee suit" was brought to cause the speedy marketing of 920,000 bags of coffee withheld from the market and the ordinary channels of trade in New York warehouses in the hands of Mr. Herman Snelcken, the American member of the valorization committee. The coffee was a part of the security for a loan made by the State of Sao Paulo, guaranteed by the Republic of Brazil. Negotiations through our State Department were entered into looking to the amicable adjustment of the matter. An understanding was reached December 1 last that if the entire 920,000 bags of coffee then in New York were disposed of to bona fide purchasers in the regular course of trade by April 1 this suit would be dismissed.

Now, that far I think the present Attorney General stated the facts correctly. Then he goes on:

Good faith assurances have been presented by the Brazilian Government that the understanding was fulfilled in letter and spirit before the date set, and the entire amount of coffee disposed of to 80 dealers in 33 cities of 20 States. These assurances are accepted, and the suit will be dismissed accordingly.

It is apparent that the disposal of the coffee as represented fulfils the province of the Government's action.

The department asked whether any further steps are contemplated declined to say.

Statement authorized by Attorney General.

I did not believe, Mr. President, that a bona fide sale had been made, and I did not believe it because I was unable to ascertain, and so far as I was able to find out nobody else was able to ascertain, who bought this coffee if it ever was sold. So I introduced Senate resolution No. 58, and at this point I desire the Secretary to read that resolution.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read as follows:

Resolved, That the Attorney General be, and he is hereby, directed to transmit to the Senate the following information:

First. Copies of any and all requests asking for the dismissal of the case of The United States of America, petitioner, v. Herman Snelcken and others, defendants, heretofore pending in the District Court of the United States for the Southern District of New York.

Second. Copies of any and all agreements that were made by the parties to said action during its pendency, providing for its discontinuance or its dismissal.

Third. Copies of any and all correspondence regarding the maintenance or dismissal of said action.

Fourth. Copies of any and all reports that were made by any agent or special attorney of the Government investigating the existence of any trust or combination in coffee or any scheme or plan for the valorization of coffee.

Fifth. The names and addresses of the parties purchasing the coffee involved in said suit, together with the price and the amount purchased by each.

Sixth. Copies of any memoranda, correspondence, letters, or documents on file in the Department of Justice pertaining to or connected with the settlement and dismissal of said action.

Seventh. Any additional statement that he may desire to make touching any of the above matters.

Mr. NORRIS. Mr. President, in answer to that resolution which the Senate passed, the Attorney General, I think, has substantially complied with all the requests except the fifth, and that reads as follows:

Fifth. The names and addresses of the parties purchasing the coffee involved in said suit, together with the price and the amount purchased by each.

That was the thing I wanted to find, if anybody knew it; and the Attorney General, in his reply, has absolutely ignored that part of the request, and has made no reply to it whatever. Of course if he does not know who the purchasers of the coffee are, he would not be able to give us the names and addresses, but I think he ought at least to have said that he did not know. Of course he does not know; I was satisfied when I introduced the resolution that he did not; but I wanted an official acknowledgment that no one did know who bought the coffee, or how much any man bought or what he paid for it. I contend, Mr. President, if the names of the purchasers had been given, the probabilities are 100 to 1 that there are men in the department who would know as soon as they saw the names whether there had been a bona fide sale or not; and if there had not been a bona fide sale it would have given valuable information to the department in any future prosecution, criminal or civil, that it might desire to take under the new law that now is in existence.

I am satisfied that the Attorney General has been acting in good faith, although I believe if he had been in office before, if he had the personal knowledge his predecessor had, he would have done as his predecessor did—refuse to dismiss the suit until he had been given evidence that it was a bona fide sale. Without intending to criticize him, I do believe that these coffee magnates gave to the Attorney General a gold brick and made him believe that it was a genuine article. He has now a law on the statute books that his predecessor did not have, under which he would be able to seize every pound of that valorized coffee that came into the United States as soon as it was landed, sell it at public sale, confiscate it, and turn the proceeds over into the Treasury of the United States. It is a law that would apply in the same way to me or to you if we were importing articles. It applies to all alike; it is a general law, and it is no more severe against the people of Brazil than it is against anyone else.

But, Mr. President, I believe that if the American people really knew all the intricacies and all the details of this great plan of valorization of coffee they would refuse to submit further to it, even though there was one of the great civilized nations a party to the combination.

Mr. NELSON. Mr. President, will the Senator yield to me?

Mr. NORRIS. I yield.

Mr. NELSON. Is that valorization scheme still subsisting and pending?

Mr. NORRIS. Yes.

Mr. NELSON. And active?

Mr. NORRIS. Yes.

Mr. NELSON. If that is the case, why would it not be a good plan to put into this tariff bill a provision charging coffee of that kind with a heavy duty? Would not that be a good way to reach it?

Mr. NORRIS. Mr. President, I do not care to discuss that question. I did discuss that very point at length in the House of Representatives. There are a good many men who think that might be accomplished, and I think we might frame a bill, probably, that would do it; but the present law if enforced would break up this combination, and if the same kind of law were applied to other combinations, so that the property itself could be taken and confiscated to the Government then such criminal and unholy combinations would cease. But I am not in favor of placing a tariff on coffee. If there was a tariff on coffee, our Democratic friends would blame this gigantic trust to the tariff. This is one trust that surely can not be charged to the tariff.

Mr. President, if we must submit to it because there is a great Government that is interested in the scheme, then we might just as well apply for a national receiver and go out of business. It does not seem to me that in any view we might take of it we can concede for a moment that we will give to men who are backed up by a Government freedom from prosecution under our criminal statutes, as Snelcken has been given during these years. Neither can we afford to give protection to the product of any foreign Government that is the subject of such a criminal combination.

I have no desire to get into dispute with Brazil or to have any unfriendly feelings spring up between this Government and that. I have nothing but the friendliest feelings for Brazil and for her people. She is destined to become one of the greatest nations of the world, in my judgment. But we can not afford, whether she is great or whether she is small, not only to permit her to violate our laws, but permit our own citizens when they represent her to violate our criminal laws and violate our antitrust laws, and give to them a right to do lawfully what we deny all other citizens the right to do.

Mr. President, I want to ask leave to have printed as a Senate document the report of the special attorney who was ap-

pointed originally to make this investigation, and who did make a very full and complete report on the entire valorization scheme. I ask leave to have printed as a public document the report of Special Agent Chantland, of the Department of Justice.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. NORRIS. At the suggestion of some other Senators who have suggested that I make the request, I ask that this report of Mr. Chantland be also printed in the RECORD.

Mr. SMOOT. Does the Senator really think it is necessary to have it in the RECORD when it is published as a public document?

Mr. NORRIS. Several Senators have just called my attention to it, and said they would like to have it printed in the RECORD.

Mr. SMOOT. I think it very much better to have it printed as a public document.

Mr. NORRIS. I think that is true. I do not want to withdraw my request to have the report printed as a public document. I do not want the Senator to get that idea.

Mr. SMOOT. What will be the benefit to have it printed in the RECORD?

Mr. NORRIS. As far as I am concerned, I will say to the Senator that personally I have no particular desire to have it printed in the RECORD. I made the request at the suggestion of other Senators.

Mr. LANE. It is a matter of giving publicity to important information, in my opinion.

Mr. SMOOT. Of course, everybody who is interested in the information can get it through the public document. I do not believe the RECORD ought to be encumbered with so many things. I shall object, Mr. President.

The VICE PRESIDENT. Objection is made to the request to print the report in the RECORD.

Mr. Wickersham's letter, which was ordered to be printed in the RECORD, is as follows:

JUNE 3, 1912.

THE PRESIDENT, The White House.

DEAR MR. PRESIDENT: I want to make clear my views with respect to the valorization suit.

The defendants in that suit are individuals—German bankers and one American coffee merchant—who constitute a committee empowered to control the sale of the coffee held under the valorization scheme. On the argument before the circuit court in New York the Solicitor General expressly disclaimed, as does the petition in the suit, any proceeding whatever against the Republic of Brazil. So far as the State of Sao Paulo is concerned, he quoted the language of Chief Justice Marshall in *United States v. Planters' Bank* (9 Wheat., 904):

"It is, we think, a sound principle that when a Government becomes a partner in any trading company it divests itself, so far as concerns the transactions of that company, of its sovereign character and takes that of a private citizen. Instead of communicating to the company its privileges or prerogatives, it descends to the level of those with whom it associates itself, and takes the character which belongs to its associates and to the business which is to be transacted."

And he referred to the decision in the *South Carolina Dispensary case* (199 U. S., 437), to the effect that—

"When the State of South Carolina engaged in the business of selling intoxicating liquors it stood upon the footing of any individual engaged in that business, and was subject to the laws of the United States with respect thereto."

He contended that when the property of the foreign State was brought within the jurisdiction of this country it became subject to our laws, police and municipal, and subject to taxation. Moreover, it was developed in the course of the argument and in the affidavits filed that just before the existing agreements under which the operation is being carried out were made the committee brought within the United States a large amount of coffee, namely, 1,744,000 bags, which had come here and become a part of the property engaged in commerce in this country, a large portion of which was actually purchased within the United States, and that of that amount 440,000 bags were left. It appeared, moreover, that 600,000 bags which were sold by the committee in April, 1911, and which the Brazilian ambassador, in response to an inquiry from our State Department, stated had been made "directly to various purchasers in the West, South, and East," had, as a matter of fact, been sold to Mr. Herman Sielcken individually, and by him resold at a personal profit.

The agreements under which the committee, who are the defendants in the bill, had carried on their operations for the last three years gave them plenary power over the marketing of the entire amount which was brought under the agreement, the only restriction being that the trade should always have at its disposal the quantities which it required "at a price not lower than 47 francs per 50 kilos good average, and 50 francs for Havre type superior."

As a matter of fact, the bill alleges and the proof demonstrates that the operations of the committee resulted in more than doubling that minimum price. There was published in the *Journal of Commerce* April 3, 1909, a telegram from the secretary of the Brazilian Embassy at Washington quoting a cable received at the embassy from the minister of finance of Sao Paulo, which expressly stated:

"The government of Sao Paulo is no longer engaged in any valorization operations, and ceased entirely with its intervention in the market with the signing of the fifteen million pound sterling loan. All the coffee stock belonging to the State has been delivered to a committee of bankers authorized to sell it. The committee is obliged to sell in accordance with the contract, at the market price, and to the amount of 500,000 bags during the year 1909-10, 600,000 during the year 1910-11, and 700,000 bags during the year 1911-12, and an equal amount in the following years. The committee can, however, sell all or any coffee as soon as the price will reach 47 francs per 50 kilos of good average."

That telegram was sent at a time when our Government was about to revise the tariff on imports, and was for the purpose of influencing

Congress against imposing a duty on imports of coffee; and the dispatch went on to say:

"There is therefore no action of this Government to advance the price of coffee, as its whole stock can be sold within a few years at the market price."

As we consume in this country between five and six million bags of Brazilian coffee of 60 kilos, or about 132 pounds each, and as the advance in price of 1 cent a pound amounts to about \$10,000,000, the effect of the manipulations in the market by the committee, which have increased the price from 7 to about 14 cents a pound within three years, have, of course, resulted in laying a tax of \$70,000,000 upon our people.

In his argument before the circuit court the Solicitor General conceded the right of the State of Sao Paulo and the Government of Brazil to enact laws looking to the increase in the price of coffee as it pleased, and that its citizens and legislators when so doing were no doubt animated by patriotic motives; but he pointed out that neither individuals nor institutions in the United States could have had any other motive than gain in participating in those arrangements; and he contended that when they came within the jurisdiction of our laws and not only brought coffee which belonged to the State of Sao Paulo, which was purchased by the State at home out of the valorization loan, but also purchased in this country a large amount which they withdrew from the channels of trade in this country for the express purpose of increasing the price of the commodity dealt in in our markets, and then proceeded to so hold and dispose of the same in our country as to bring about the extraordinary rise in price shown in this case, everyone concerned in that transaction and the property employed in it who or which are within our jurisdiction became amenable to our laws.

The relief prayed for in the petition is that it be adjudged that the scheme, "in so far as the same affects the interstate and foreign commerce of the United States and has been and is being consummated within the United States, be declared violative of" the antitrust law. That all acts of the committee and each of its members committed personally or through agents done in pursuance of said conspiracies, "in so far as they have been carried out in the United States or restrain the interstate and foreign trade and commerce of the United States, be declared unlawful."

That defendant Sielcken, personally, and as a member and agent for said committee, be permanently enjoined from withholding from the market the coffee held by him as a member and agent of the committee, and stored in New York, as described in the petition, and from selling the same on condition that the purchaser will not recall the same. The remainder of the prayer is for temporary relief.

The circuit court, in denying the motion for an injunction pendente lite, said:

"The numerous issues of fact and law which have been referred to on the hearing present important questions and contain too many elements of uncertainty to be decided summarily in advance of the trial. They may, with greater propriety, be disposed of when the testimony shall have disclosed the exact facts. We are not persuaded by anything in the papers submitted that there is any reason to apprehend that in the interim there will be such changes in the situation as will injuriously affect the position of the Government."

The bringing of this suit has been made the subject of sharp attack upon, and criticism of, the Department of Justice, as was to be supposed when it is considered that one-third of the great loan of money which was negotiated to carry out this transaction was made by a national bank in New York; and on the argument Mr. Choate permitted himself to make a statement which was widely quoted in the press, to the effect that the Government proposed as a remedy to be administered by the court, sooner or later, that it should force a sale of the coffee on store in New York "to break the market and make the fortune of somebody who was represented probably indirectly behind this suit."

The Brazilian ambassador also permitted himself to indulge in criticism of the Department of Justice in a speech made in the presence of the Secretary of State on the evening of Monday, May 27, in which he is reported to have referred to the suit as inflicting a heavy blow to our commercial relations—

"With the indorsement by the Government of the United States of the somewhat arbitrary and quite revolutionary doctrine of paying for other people's merchandise not the price they ask for it, but the price the United States—I mean the American merchants—want to pay for it."

"It is a brand new doctrine, and the United States seemed disposed to enforce it, even to the sacrifice of long-standing international friendship. In their eagerness to establish their right to meddle with the property of a foreign State certain officials of this Government went as far as to proclaim before an American court of justice the forfeiture of the sovereignty of that foreign State, and this with an unthoughtfulness of the consideration due to a friendly State which coincides with the boundaries of international discourtesy."

The ambassador evidently was not aware when he spoke that the language used by the Solicitor General, which he thus criticizes, was that of the Chief Justice of the United States, nor that his very complaint had been considered and decided adversely upon as early as 1812 by Chief Justice Marshall in the case of *The Schooner Exchange v. M'Faddon* (7 Cranch, 116), in which the Chief Justice very carefully drew the distinction between the immunity from prosecution in our courts enjoyed by an armed national vessel of another country found within the waters of the United States and private property of a foreign sovereign brought within our jurisdiction. He said that there was "a manifest distinction between the private property of the person who happens to be a prince, and that military force which supports the sovereign power and maintains the dignity and the independence of a nation. A prince, by acquiring private property in a foreign country, may possibly be considered as subjecting that property to the territorial jurisdiction; he may be considered as so far laying down the prince and assuming the character of a private individual; but this he can not be presumed to do with respect to any portion of that armed force which upholds his crown and the nation he is intrusted to govern."

The same distinction was drawn by Justice Story in the case of the *Santissima Trinidad* (7 Wheat., 283), where, while fully recognizing the doctrine of international law that foreign public ships coming into our ports and demeaning themselves according to law and in a friendly manner, are exempt from local jurisdiction, he said, after stating that, as a general proposition, all persons and property within the territorial jurisdiction of a sovereign are amenable to the jurisdiction of that sovereign and his courts, and that exceptions to that rule were such only as by common usage and public policy had been allowed in order to preserve the position and harmony of nations and to regulate their intercourse in the manner best suited to their dignity and rights.

"It would indeed be strange if a license implied by law from the general practice of nations for the purposes of peace should be construed as

a license to do wrong to the nation itself, and justify the breach of all those obligations which good faith and friendship, by the same implication, impose upon those who seek an asylum in our ports."

This is the same doctrine which we have applied with respect to the State of our own Union, and in the case of South Carolina v. United States (199 U. S., 437) it was held that agents of the State government carrying on the business of selling liquor under State authority were liable to pay the annual revenue tax imposed by the Federal Government, the rule applied being, to quote the comment on it in *Flint v. Stone Tracy Co.* (220 U. S., 137) —

"that the exemption of State agencies and instrumentalities from national taxation was limited to those of a strictly governmental character, and did not extend to those used by the State in carrying on business of a private character."

In other words, on principle and on authority, there seems to be no basis for the contention that a state of a foreign nation can combine with bankers and coffee merchants to monopolize and enhance the price of an article of common necessity in the United States, of which our citizens consume an enormous quantity, import that commodity into our territorial jurisdiction, and there carry out the powers which they have acquired through that monopoly to the enhancement of the price and the detriment of our own citizens, and then claim the protection of the alien sovereign to which they would be entitled if they were here in a sovereign capacity, as, for example, in the presence of an armed vessel of that nation or a military force crossing our territory with the permission of our Government.

Perhaps as good a comment as could be made of this whole transaction was one which appeared in a New York evening paper, the day following the argument in the circuit court, in the following language:

"We are by no means satisfied that, considering the peculiar governmental aspects of the matter, our Department of Justice was wise in pressing the case as it did—at all events, in filing suit without some friendly preliminary negotiations with Brazil. But there are some things to say on the other side, and one of them is that when a Government goes into trade and engages, directly or indirectly, in operations on the markets of a foreign state it thereby inevitably subjects itself to the laws of that state regulating trade and commerce. If our Government were to place an import duty on coffee, Brazil could hardly claim exemption for Government-owned coffee sent to be stored and marketed in this country. Or, to take a more extreme case, if the Brazilian or any other state were to engage in production of some article proscribed by our pure-food law, no one is likely to contend that consignments of that article would be free from the prohibitory clauses. The principles underlying the present suit are, first, that neither a foreign merchant nor a foreign government acting as a merchant is entitled to do in the American market what the American merchant is forbidden to do, and, second, that operations of the sort in question, if conducted by a private American syndicate, would be repugnant to the law. When the Brazilian ambassador speaks with easy confidence of the 'new American ways' and the 'brand-new doctrine' asserted by the Attorney General he appears to us to forget that of all new ways and brand-new doctrines the theory and practice of the 'coffee valorization plan' are among the very newest."

Under all of these circumstances I am very strongly of the opinion that the suit should be proceeded with in personam in an effort to obtain the permanent relief which has been prayed. I think that to yield in the face of the character and sources of the criticism that has been made would constitute a reflection on this department which should not be permitted.

Very sincerely, yours,

GEORGE W. WICKERSHAM,
Attorney General.

Mr. STONE. Mr. President, I make the point that there is no quorum present.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Goff	O'Gorman	Smith, S. C.
Borah	Hitchcock	Oliver	Smoot
Bradley	Hollis	Overman	Stephenson
Bristow	Hughes	Page	Sterling
Bryan	James	Perkins	Stone
Burton	Johnson, Me.	Pomerene	Sutherland
Catron	Johnston, Ala.	Reed	Thomas
Chamberlain	Kern	Root	Thompson
Chilton	La Follette	Saulsbury	Thornton
Clapp	Lane	Shafroth	Tillman
Clark, Wyo.	Lea	Sheppard	Townsend
Clarke, Ark.	Lewis	Sherman	Vardaman
Crawford	Lippitt	Shively	Weeks
Cummins	McLean	Simmons	Williams
Dillingham	Martine, N. J.	Smith, Ariz.	
du Pont	Myers	Smith, Ga.	
Gallinger	Norris	Smith, Md.	

Mr. CATRON. I wish to announce that my colleague [Mr. FALL] has been suddenly called away from the city on account of the death of his father. He is paired on all questions where votes are required to be taken with the Senator from Arizona [Mr. SMITH].

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present.

Mr. SHERMAN. Mr. President, I wish to confine myself briefly to the motion to refer and to the amendment offered by the Senator from Pennsylvania [Mr. PENROSE]. This involves the question of hearings before the Finance Committee of the several interests affected by the proposed tariff legislation. Matters that would justify the hearings are the questions that have arisen largely since former legislation was attempted on the subject, and hearings were then granted. At that time there was not the constitutional power to levy an income tax. Since that time, by proper amendment, the power now exists. Whatever might have been said, or whatever proposed legislation was attempted, was not then under the responsibility of constitutional sanction. Whatever is done now, beyond any question is authorized by the organic act as it has been amended.

The sobering effect of constitutional power would justify a hearing upon section 2 of the bill. There are sweeping provisions in that section. There are provisions that not only reach what seems to some of us an entirely justified matter of taxation, but it goes beyond the "malefactors of great wealth," the swollen fortunes, the incomes that are not needed for the support of those who have them or those dependent on them, and attacks the provident under the guise of income taxation. It taxes not only income, but it seeks to tax the protection which every prudent head of a house provides for those who are dependent either upon his activities as a wage earner or as an income producer for the family. I would be glad to have any additional information on this subject that could be given by a hearing before the committee.

I am entirely in accord with the exemption of fraternal life insurance associations or companies and building and loan associations from the operation of this proposed act. I would extend that exemption so as to include the companies doing a life-insurance business on a purely mutual plan without capital stock, without profit to any shareholder, and without profit to the members of the company. The company in such cases is the certificate or policyholder. They are only providing, by setting apart some of their earnings, for the inevitable time when those dependent upon them will need the results of their provident action. I think the introduction of this section into the bill would justify some additional hearings.

As originally prepared in the House of Representatives, the bill contained a provision that levied, under the guise of an income tax, a real inheritance tax upon the proceeds of life policies. That, upon a hearing, appeared to be indefensible and was stricken out, either in caucus or in committee; and it does not now appear in the bill. In order to more fully negative what was undertaken in the first instance, some affirmative language has been added so as to exclude the proceeds of life insurance companies from the operation of this bill. This is one provision of the measure that certainly is entitled to some hearings. If it were a matter of income alone, perhaps it might not be; but it is not a matter of income; it is a matter of protection. The only argument in its favor that I have heard offered up to this time is that there are certain large policyholders and certain life insurance companies in this country doing business on a purely mutual plan that run into a considerable sum on the face of the policy and in the reserve or surplus set aside for the security of the several policyholders. That is a matter certainly which is entitled to some hearing and some consideration at the hands of the committee.

Another section is section 3, known as the administrative features of the bill. Section 3 largely, if not entirely, concerns itself with the regulations at home and abroad that are consequent upon a different basis of import duties.

Mr. REED. Mr. President—

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. SHERMAN. Certainly.

Mr. REED. I want to ask the Senator from Illinois simply this question: If he does not think that the language of the bill as it now is does exempt all policies—that is, the payment upon all policies—of life insurance, the payment upon all annuities, and the payment of all other sums provided for in the contract? I ask the Senator if he has examined the amendment which was made to the printed text? I do not know that I make myself plain.

Mr. SHERMAN. It may be I do not understand the Senator. Will he please repeat the question?

Mr. REED. I do not want to interrupt the Senator, and perhaps should not have arisen to do so; but I wanted to ask the Senator whether he had examined the bill as it is now written, and if he wants to be understood as saying that the bill does not exempt from taxation not only the amount paid upon the face of the policy at death, but all annuities and all other sums which are paid by reason of the contract? I ask if he does not understand that they are exempted from taxation?

Mr. SHERMAN. I understand they are exempted in the amended bill as it came to us.

Mr. REED. Is not everything that goes to the policyholder exempted in the amended bill; and is not the sole tax which is levied under the amended bill a tax upon the net profits, the net income of a company?

Mr. SHERMAN. No, sir; it is not. I do not think, in its present form, that that is the necessary effect of the section or of the several sections which relate to this matter.

Mr. REED. Well, I was very anxious to know whether the Senator took that position. If he does, well and good.

Mr. SHERMAN. Mr. President, I have no criticism to make of the exemptions made, so far as they go, but I do not think

they go far enough. To that end I have thought that it would be entirely proper that we should collect such available information as the committee might have offered to it, in order that we might be further enlightened.

The administrative feature which I mentioned is necessary because of the change in the method of levying duties. Ad valorem rates of duty necessarily require a much more inquisitorial process of collection than the simpler method of specific duties. There are two provisions, however, in section 3 that penalize not the manufacturer or jobber in another country, nor those who are responsible for whatever failure to give evidence may occur, but they penalize the jobber and the importer in this country, without an opportunity to reach the source of the trouble. It is provided that the merchandise shall be excluded from entry in the event that the manufacturer or wholesaler in a foreign country refuses to give certain specified information. It penalizes the jobber or wholesaler in this country if the retail merchant refuses to give the information. The latter can be reached, because the retailer in this country is within our jurisdiction, while the manufacturer or wholesaler in a foreign country can not be reached by any process that will be effective as a remedy to exempt the domestic importer from the results of the refusal of the foreign authorities to give the information. This will in itself be a most effective way of preventing the innocent party from conducting his business and of exempting the guilty party from the operation of his refusal.

There are, in addition, some matters in this bill that have occasioned protest, which it seems fair that the committee should hear. There are in the western and northwestern portions of this country and elsewhere extensive flouring mills. They have invested a considerable sum of money. There are many thousands of them conducting their operations. It is one of the industries as to which not even a charge nor a suspicion of combination has been made to raise the price of their product or to limit their output. There is no flour-mill trust in this country. The different flouring mills have maintained business on a purely competitive basis. In this bill the peculiar process to me is that the millers' raw material, as they properly protest, is made dutiable and the finished product is free listed. On that the communications that come to me have been numerous. I select from the number two of them which are fairly typical of the entire situation. The first is from the Sparks Milling Co., of Alton, Ill. I ask unanimous consent that their letter may be inserted in the RECORD as a part of my remarks, without consuming the time of the Senate in reading it.

The VICE PRESIDENT. If there is no objection, permission is granted.

The letter referred to is as follows:

SPARKS MILLING CO.,
Alton, Ill., U. S. A., April 8, 1913.

HON. LAWRENCE Y. SHERMAN, Washington, D. C.

DEAR SIR: We desire to call your especial attention to the tariff bill as reported by the Ways and Means Committee of the House, and which, if possible, we desire to have changed before it is reported by the Senate Finance Committee.

The bill provides for a duty of 10 cents per bushel on wheat and 10 per cent ad valorem on flour.

The above would be a discrimination against the American miller equivalent to about 7 cents per barrel on flour. For example, taking Canadian wheat at 90 cents per bushel, it would require, say, 4 bushels and 35 pounds to make a barrel of flour. The duty on the 4 bushels and 35 pounds would be equal to 45.83 cents on a barrel of flour. A barrel of flour made from 90-cent wheat costs approximately \$3.85. Therefore ad valorem duty on the flour would be 38.5 cents per barrel, against a duty on the corresponding quantity of wheat of 45.8 cents, or 7.3 cents per barrel discrimination against the wheat.

It is easy to see that this would be highly in favor of the large Canadian mills and against all the mills in this country.

We feel that the duty on wheat and flour, whatever it may be, should be exactly the same; that is, there should be ad valorem duty on both wheat and flour or specific duty on both wheat and flour.

The specific duty on flour equivalent to 10 cents per bushel duty on wheat would be approximately 46 cents per barrel.

The bill further provides that countries admitting our flour free can ship flour duty free to this country. At the present time this would give the British millers an opportunity to make flour from cheap Russian, Indian, and Argentina wheat and ship it into this country duty free, to be sold in competition with flour made by American mills from American wheat. This in itself would be a serious blow to American millers, as there are very large and modern mills in England, particularly in Liverpool, which, under such an arrangement as this, could, and no doubt would, ship thousands of barrels of flour to our eastern markets.

At the present time Canada has a duty against imported flour, but if our bill is passed in its present form there is hardly any doubt but what Canada would immediately take off the duty on flour, which would permit their mills to ship flour into this country free, while there would be a duty against their wheat, thus giving their mills a big advantage, as, of course, the flour market in this country is a great deal larger than that of Canada.

We will certainly appreciate anything you can do toward eliminating the "free-flour" clause and also toward making absolutely the same duty on flour as is imposed upon wheat.

You will note from the above that we are not asking protection on flour, but are trying to avoid a discrimination in favor of foreign manufactured products compared to foreign raw material.

Yours, truly,

SPARKS MILLING COMPANY,
GEO. S. MILNOR.

Mr. SHERMAN. The second is from the B. A. Eckhart Milling Co., of Chicago, Ill. I make the same request as to their letter in order to save time.

The VICE PRESIDENT. If there is no objection, the letter will be inserted in the RECORD, as requested.

The letter referred to is as follows:

CHICAGO, April 12, 1913.

HON. LAWRENCE Y. SHERMAN,

United States Senate, Washington, D. C.

MY DEAR SENATOR: If the bill agreed upon by the Ways and Means Committee of the House should pass in its present form in relation to wheat and flour the foreign mills, who have the enormous advantage of cheap wheat duty free from Canada, Russia, Argentina, India, and Australia, would either destroy the American milling industry or else the tariff of 10 cents a bushel on foreign wheat would and could not afford the American farmer any protection.

If flour is admitted duty free the foreign millers could flood our country with flour made from cheap foreign wheat, and a tariff of 10 cents per bushel on wheat would not benefit our farmers at all, as the admission of free flour would destroy the American milling industry, and, therefore, the American farmer could not hope to sell his wheat to the American miller.

The American farmer would be obliged to export his wheat and sell it in competition with other wheat-producing countries and accept such prices as Liverpool would be willing to pay for the wheat. Furthermore, Canada would take off her duty on American-manufactured flour, and hence could ship, duty free, Canadian-manufactured flour to this country, made from Canadian wheat raised on new, cheap land. This would be an easy matter for Canada to do, because there is comparatively little flour consumed in Canada, as their population of about 6,000,000 is relatively small compared with the population of the United States of 90,000,000; and as Canada has a very large milling capacity they would flood the American market with Canadian flour made from Canadian wheat, which is superior to our wheat in quality.

This would prevent the American farmer from disposing of his wheat to American millers, so long as Canada and Great Britain would be able to supply the consumers of this country with flour made from cheap wheat raised in foreign countries.

Great Britain is not dependent at all upon the United States for her supply of wheat; in fact, of late years she has been able to secure much cheaper wheat from Canada, Argentina, and India, countries where land and labor is much cheaper than in America.

As I understand the report of the committee in respect to wheat and flour, countries admitting our flour free can ship flour to this country duty free.

A duty of 10 cents per bushel on wheat is equal to 50 cents per barrel on flour, as it requires about five bushels of wheat to produce a barrel of flour.

The average profit to the American miller is less than 10 cents per barrel on flour, and as the ocean freight from England, Belgium, Holland, Germany, and Canada to our great central markets—such as New York, Philadelphia, Baltimore, and Boston—is a comparatively small item, as all of these markets can be reached by cheap water transportation, it would give the foreign miller who has free wheat an enormous advantage over the American miller.

According to the last census there are about 11,000 mills in the United States, grinding about 500,000,000 bushels of American wheat. These great milling plants are scattered over 46 States of the Union. The amount of money invested in flour mills is over \$450,000,000. The value of the product of the mills is over \$900,000,000.

To adopt such a policy as outlined by the report of the Ways and Means Committee would be an economic fallacy disastrous both to the American farmer and the American miller.

It is inconceivable how intelligent men can possibly propose such a policy, much less enact it into a law. We must therefore appeal to the Senators of the United States for justice and fair play. I know that I need only to call your attention to this unfair and fallacious proposition to enlist your earnest and hearty support in behalf of the American miller and the American farmer.

With kindest regards, I am,

Sincerely, your friend,

B. A. ECKHART.

P. S.—I take the liberty of inclosing a copy of an editorial from the Northwestern Miller of April 9, 1913.

Mr. SHERMAN. The criticism very properly is made—and I think it ought to be considered by the Finance Committee—that the making dutiable of their raw material, which is the farmers' finished product, wheat, can not well be defended when their finished product, flour, is free listed. They call attention in what I think is a perfectly legitimate way to the competition to which they will be necessarily exposed. The mills all the way from the Southwest, in the far Mississippi Valley, to the extreme Northwest, touching the Canadian line, are affected vitally by such a provision. They are exposed to competition from wheat collected from the entire world wherever it is accessible as a merchantable product, and, with cheap ocean freight, it will put our millers and the men who produce the wheat in direct and open competition, without any compensating advantages in the way of an import duty.

There has been a statement made, further, that I think the committee ought properly to consider. It has been made by authority we can not well ignore, and it has been repeated on the floor of the Senate that, in the event this bill in its present form should become the law on that subject, if any gentleman now in business in this country should see fit to suspend either one or all his or their business and cease to give employment to the workmen, it will be made the subject of an investigation, without benefit of clergy, under the Sherman antitrust law for a conspiracy to restrain or hinder trade in its natural operation. Whatever may be the condition of things, to use the euphonic language quoted by my friend yesterday, it will make no difference whether or not such action interferes with the normal and healthy course of commerce and manufacture, all

such employers are now threatened in advance that if the operation of this bill should be such as to make it unprofitable for them to carry on business, and one or more of them should suspend operations, they are to be threatened with the penalty of an indictment, at least, whether or not at the hands of a jury they should ever be convicted. I believe this would justify us in at least listening to those opposed to some other features of this bill who were not present at the last hearing, something like a year ago.

Another thing that seems to me material, although I have not any doubt it has been maturely considered every time any tariff bill has been up for consideration, is the time when the bill shall become operative. From the quarter of the country from which I come, and with whose business operations I am familiar, there comes what I consider a reasonable request. Many millions of dollars of merchandise are stored in warehouses; it belongs to and is a part of the current commerce of the country. Manufacturers are now, or in the ordinary course of trade will be, under contract for furnishing merchandise in the future under present conditions. In the course of modern competition no merchandise of certain kinds can be made up in anticipation and stored in warehouses to await orders from the trade. They must, in the ordinary way of business, be prepared long in advance. Many of these concerns are not merely order-merchandise manufacturers, but they must secure contracts many months, sometimes 6 to 12 months, in advance to prepare for orders taken and for prompt deliveries in accordance with their terms. Warehouses are, in some instances, not only full of goods manufactured under present conditions, but the conditions of the trade are such that it is necessary that this act shall become operative at some time in the future instead of becoming immediately so.

The condition of the clothing trade is a fair illustration, which would require, under present conditions, postponement of the operation of the act until about the 1st day of January, 1914, in order not to unduly interfere with the healthy growth, development, and manufacture of the country. That language I do not say, Mr. President, is original, but I am adapting it to be used on this occasion as entirely applicable. I think the question ought to be submitted to the Finance Committee in accordance with the amendment offered by the Senator from Pennsylvania, so that the different industries may be considered, and that, if any differences exist in the necessary method of transacting business, those differences may be adjusted and that the proper time may be fixed when the act shall become operative upon those lines most concerned. To arrive at such a readjustment as will be indispensable in a bill that reaches into every nook and corner of commerce, manufacturing, and industrial activity, it seems to me that it would be wise to allow those who would be so materially affected by it to be heard.

There will be some differences, some losses, some readjustment of prices, some rearrangement of the methods of manufacture and of distribution, some settlement of the finances necessary to conduct large enterprises. But these losses ought, in justice, to be reduced to a minimum. If time be given upon certain lines of manufacture and commerce they will be so reduced. To that end it seems as if these hearings could be profitably had in order that these different lines of effort might be so heard and differentiated that no undue loss would occur upon the application of the proposed law.

The last lines of the bill say that it shall become operative immediately upon its approval by the Chief Executive; so that in many of these cases it would interfere materially not only with contracts now made but with stocks of merchandise now on hand.

There is one further document that I wish to add that pertains to Schedule M and relates entirely to the lithographing business.

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

Mar 8, 1913.

To the Congress of the United States:

Schedule M, paragraph 412, of the tariff act of 1909, to provide revenue, equalize duties, and to encourage the industries of the United States, and for other purposes, provides that:

"Views of any landscape, scene, building, place, or locality in the United States on cardboard or paper, by whatever process printed or produced, including those wholly or in part produced by either lithographic or photogelatine process: Not thinner than eight one-thousandths inch, \$0.15 per pound plus 25 per cent ad valorem."

H. R. 3321, the Underwood bill, paragraph 337, page 83, provides that:

"Views of any landscape, scene, building, place, or locality in the United States on cardboard or paper, not thinner than eight one-thousandths of an inch, by whatever process printed or produced, including those wholly or in part produced by either lithographic or photo-

gelatin process (except show cards), occupying 35 square inches or less of surface per view, bound or unbound or in any other form, 45 per cent ad valorem."

The foregoing reduction in the duty on post cards it is evident will favor importations from foreign countries. The conditions covering their production make it possible for them to be sold in our market in unfair competition with American manufacturers of the like article. We quote below prices of a German manufacturer of Dresden, Germany, comparing them with our own colored view post cards of the same kind:

C. T. colorchrom:	
1,000 per subject	\$6.50 per M
2,000 per subject	5.50 per M
C. T. photochrom:	
3,000 per subject	4.50 per M
5,000 per subject	3.50 per M
10,000 per subject	2.75 per M

Stengel & Co., Dresden, A., quotes style No. 22 colored view post cards:

By 1,000, at 15.50 marks	\$3.72
Proposed 45 per cent ad valorem would be	1.67
Freight, etc.	.30

Curt Telch & Co.	5.69
Stengel & Co.	6.50

	5.69
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	.81
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By 1,000 cards per subject the importer can buy cards for 81 cents less per 1,000 view cards in Germany.

Stengel & Co., Dresden, A., quotes style No. 22 colored view post cards:

By 2,000, at 11.50 marks	\$2.76
Proposed 45 per cent ad valorem would be	1.24
Freight, etc.	.30

	4.30
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Curt Telch & Co.	5.50
Stengel & Co.	4.30

	1.20
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By 2,000 cards per subject the importer can buy cards for \$1.20 less per 1,000 view cards in Germany.

Stengel & Co., Dresden, A., quotes style No. 22 colored view post cards:

By 3,000, at 10 marks	\$2.40
Proposed 45 per cent ad valorem would be	1.08
Freight, etc.	.30

	3.78
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Curt Telch & Co.	4.50
Stengel & Co.	3.78

	.72
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By 3,000 cards per subject the importer can buy cards for \$0.72 less per 1,000 view cards in Germany.

Stengel & Co., Dresden, quotes:

By 5,000, at 8.75 marks	\$2.10
Proposed 45 per cent ad valorem would be	.94
Freight, etc.	.30

	3.34
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Curt Telch & Co.	3.50
Stengel & Co.	3.34

	.16
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By 5,000 cards per subject the importer can buy for \$0.16 less per thousand view cards in Germany.

The above figures show very plainly that the proposed 45 per cent ad valorem duty is not sufficient to place the American manufacturers of view post cards on an even basis with the foreign manufacturers.

Paragraph 337, page 83, should be revised to read as follows:

"Views of any landscape, scene, building, place, or locality in the United States on cardboard or paper, not thinner than eight one-thousandths of 1 inch, by whatever process printed or produced, including those wholly or in part produced by either lithographic or photogelatine process, any size (except show cards), bound or unbound, or in any other form, 15 cents per pound plus 25 per cent ad valorem."

That the rate in the Underwood bill confers very great advantage upon the foreign manufacturers is evident from the letter of Kunstanstalt Stengel & Co. (Ltd.), of Dresden, Germany, dated March 29, 1913, to certain dealers handling their cards in this country. It is as follows:

"During the year 1912 I had some correspondence with you in regard to the tariff revision, and you were kind enough to express your willingness to make some efforts for a reduction of the duty for view post cards imported into the United States of America."

"Mr. Wilson will have an extra session of the Congress next month especially for the revision of the tariff, and it is now the right time to come forth with your demand for lower rates on view post cards."

"In order that such a protest finds due attention it is necessary that it should be sent to all Democratic Congressmen and Democratic Senators. But care must be taken that nothing indicates that foreign houses are interested in this matter. Please be very particular about this point."

"I inclose a memorandum about the tariff on view cards, which will give you a lot of information needed in making up your protest. However, this memorandum must not be sent out to anyone; it is just for your own use."

"Thanking you in advance for the interest you will take in this matter, I remain, with best regards."

Every 1,000 view post cards weigh approximately 10 pounds. "Occupying 35 square inches or less of surface per view" should be left out, as double cards, size 3½ by 11, occupy 38.5 square inches; triple cards and panorama cards occupy more square inches in proportion.

At the present time there are about 3,000 artists and skilled mechanics employed in the manufacturing of local view and fancy post

cards in the United States. The wages they receive are three times as high as paid to the same employees in Germany.

The largest portion, or about 60 per cent, of view post cards are printed in three and five thousand editions, bought and sold to the American public by the stationery and news companies and 5 cent and 10 cent store syndicates, who will naturally import their view cards should the proposed tariff of 45 per cent ad valorem be adopted. The syndicate stores buy mostly in 3,000 and 5,000 editions, for which they pay to the American manufacturer on an average of about \$4 per thousand. The stationery and news companies, which buy their cards in one and two thousand editions, pay to the American manufacturer on an average of about \$6 per thousand.

Under the proposed ad valorem tariff of 45 per cent ad valorem, any American dealer in post cards can import the same quality of view cards at a saving of about 75 cents per thousand, which reductions the American manufacturers can not meet for the fact that it costs them more for labor and material to manufacture these goods.

The United States Post Office Department statistics prove that during the year 1912 about 1,000,000,000 view and fancy post cards went through the mails of the United States, and it can safely be stated that the same amount of cards were kept as souvenirs for collections and used for other purposes, which shows that about 2,000,000,000 post cards are consumed every year in the United States, of which 80 per cent are at the present time manufactured in the United States by American labor, representing about a total sale of \$5,000,000 per year. The largest part of this business will go to foreign manufacturers should the proposed tariff of 45 per cent ad valorem be adopted.

We also beg to state that if the ad valorem duty alone, instead of the pound and ad valorem rate, is substituted on this article, orders for view post cards will be taken in this country by importers and placed with foreign manufacturers, giving part of the work, such as plate making, to one firm, the printing to another, and the lithographing to a third firm. This has been done previously and will be done again in order to get the very lowest prices, and if the work, in the opinion of the importer, is not satisfactory, the importers will ask for large deductions. The cards will then be shipped to the United States and billed at a ridiculously low price and will cost the importer, with only the ad valorem duty added, less than what the American manufacturer has to pay for his labor and paper stock, thereby forcing the American manufacturer to discontinue the manufacture of view post cards. Also large amounts of local view post cards will be ordered, and when they reach this country will be left at the customhouses to be disposed of by the Government. The records of the customhouse in New York and other cities will prove that millions upon millions of view post cards were sold in this country for less than duty charges.

CURT TEISH & Co. (INC.).
CURT TEISH, President.

Mr. GALLINGER. Mr. President, I was absent a portion of the time when the Senator was discussing the provision relating to life insurance policies, and I did not hear all that he said. My mail is flooded with letters, chiefly from policyholders in mutual companies, complaining that the provision of the bill is hostile to their interests. The Senator observed, which I have understood to be the fact, that the bill had been changed in that particular so as to give some degree of relief; but I think the Senator further observed that he thought it did not go far enough.

Mr. SHERMAN. Yes; that is correct.

Mr. GALLINGER. I will ask the Senator—because I want, as far as I can, to give accurate information to my correspondents—whether or not the Senator has prepared or will suggest an amendment to that section of the bill which will give these people full relief to the extent that they ought to have relief?

Mr. SHERMAN. Yes; I have.

Mr. GALLINGER. That is satisfactory, then.

Mr. SHERMAN. I have already offered that as a proposed amendment, Mr. President. It will be submitted for consideration at the proper time and place.

Mr. SMOOT. Mr. President, I agree with all that has been stated by the Senator from Illinois in relation to the necessity of having hearings upon the tariff bill that is now about to be referred to the Finance Committee. Agreeing with those reasons given by him, I want to take just a short time to call the attention of the Senate to the fact that there are many other reasons why public hearings should be had. In fact, we have had no hearings whatever upon any bill that is before the Senate at this time. The bills introduced have been changed so radically that no manufacturer of this country, or no person interested in any item in the bill, knows what the rates are, unless he has received a copy of the bill since it has been received by the Senate.

Barring all of the bills that were before the previous Congress, and barring the hearings that have been had upon them, let us see what changes have been made in the first tariff bill introduced by Mr. UNDERWOOD in the House of Representatives on the 7th day of April, 1913, compared with the second bill that was introduced by him on April 21, 1913, and pay no attention whatever to the changes that were made on the floor of the House.

Mr. President, I find in the first bill that was introduced by Mr. UNDERWOOD that alizarin was placed upon the dutiable list at 10 per cent. I also find that indigo was placed upon the dutiable list at 10 per cent. But I find that when the second bill was introduced into the House of Representatives alizarin was still upon the dutiable list at 10 per cent, but indigo was

placed upon the free list. Why the change in the one and not the other?

The reason is because indigo is used by the cotton manufacturers of the South in dyeing denims and cotton goods, and they had a voice so potential with members of the Ways and Means Committee that that item was taken from the dutiable list at 10 per cent and placed upon the free list, while alizarin, used by the woolen manufacturers of the North, the Middle West, and the East, still remains upon the dutiable list at 10 per cent. Further than that, Mr. President, I find that they have omitted from the alizarin paragraph of the present law these words:

And dyes derived from alizarin or from anthracene.

Senators, alizarin technically means a dye that will produce the color red. The derivatives of alizarin cover hundreds of different colors—browns, blues, blacks, oranges—almost every color known to the woolen trade. The words "and dyes derived from alizarin or from anthracene" throw all these colors into another paragraph, with a 30 per cent duty imposed. I find that the coal-tar dyes are given a rate of duty of 30 per cent, no change whatever from the present law; and by the striking out of these words all of the derivatives from alizarin, that have been on the free list ever since they were first made, are thrown into the paragraph that carries a 30 per cent duty.

Should not this be called to the attention of the committee? This is only one item. If I had the time I could show not only a change in this one item, but changes on nearly every other page of the bill. I believe I can see what influences have been at work and what pressure was brought to bear upon those who had the power to change the bill.

I say to the Senators upon the other side of this Chamber that the people interested in this tariff bill have not had a chance to be heard on the bill as it passed the House, and they are pleading for it from one end of this country to the other. It seems to me, Mr. President, that it all depends upon whose ox is gored. I remember that when the cotton schedule was up in the Senate a year ago the Senators from North Carolina demanded public hearings; and they demanded them because the cotton manufacturers of the South demanded them. I have here the remarks of the Senators from North Carolina made at that time, and I am not asking any more to-day than those Senators then asked of the Senate of the United States.

Mr. SMITH of Georgia. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Georgia?

Mr. SMOOT. Certainly.

Mr. SMITH of Georgia. When the Payne-Aldrich bill was up, did you give public hearings?

Mr. SMOOT. Yes, Mr. President. Representatives of every industry in this country and everyone interested in the bill had all the time to be heard they desired. I will say to the Senator that when the bill was in the House of Representatives there were nine volumes of testimony taken upon that particular bill.

Mr. SMITH of Georgia. Will the Senator allow me to ask whether public hearings were granted by the whole committee on the Payne-Aldrich bill?

Mr. SMOOT. Does the Senator mean by the Senate or by the House of Representatives?

Mr. SMITH of Georgia. I mean by the Senate.

Mr. SMOOT. I have said time and again, Mr. President, that there were no public hearings reported or held before the full committee on the Payne-Aldrich bill, and I have stated the reasons for it. The Payne-Aldrich bill was introduced into the House of Representatives, and hearings were held upon every schedule and every item of that bill. That is not the case here to-day. You have had no hearings whatever upon any bill that is before the Senate of the United States. The hearings that were given by the Ways and Means Committee of the House were upon no bill. The persons who were heard were allowed to come and express themselves as to whether or not they wanted any particular change in the present rates. That is the difference between the attitude taken in the Senate under the Payne-Aldrich bill and the one that is being taken at the present time.

I have heard it said that there were not going to be many changes made in the House bill, and yet I have come in contact with men who have stated that they are perfectly satisfied now that their interests are going to be taken care of. I have here a circular from the Amoskeag Manufacturing Co. I ask the Senators to take notice of the bill as it is received by the Senate and then watch the changes made when it is reported back to the Senate from the Finance Committee. I have no doubt but that the cotton schedule will be changed. I have no doubt but what some of the cotton rates are to be taken

care of. But why change the cotton schedule any more than the wool schedule? Why take the cotton schedule any more than the sugar schedule?

Mr. SMITH of Georgia. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Georgia?

Mr. SMOOT. Certainly.

Mr. SMITH of Georgia. As that is one of the schedules submitted to my subcommittee, I will tell the Senator why it is being carefully examined by the subcommittee. If the Senator will allow me further, I will add that we have heard everybody that wanted to discuss the chemical schedule; we have heard men on the paper schedule; and we are hearing every man who wants to be heard on either one of the schedules submitted to us.

Mr. SMOOT. Does the Senator say that he has not promised men representing the cotton interests, and interested in the cotton schedule, that the rate shall not be changed?

Mr. SMITH of Georgia. I have promised nobody anything.

Mr. SMOOT. I am glad to hear the Senator say it, because I have heard otherwise.

Mr. SMITH of Georgia. And if the Senator will allow me further, I will say that we are hearing to-day, as we did yesterday, and as we have for a week, men on this cotton schedule from Maine to South Carolina. The same thing that we are doing with reference to that schedule we are ready to do with every schedule that is submitted to Senator JOHNSON of Maine, Senator HUGHES of New Jersey, and myself.

Mr. CLARK of Wyoming. Mr. President, will the Senator from Utah allow me to ask the Senator from Georgia a question?

Mr. SMOOT. Yes.

Mr. CLARK of Wyoming. When the Senator says "we are hearing," to whom does he refer—the Finance Committee?

Mr. SMITH of Georgia. I mean the subcommittee to which those schedules were referred.

Mr. CLARK of Wyoming. By whom?

Mr. SMITH of Georgia. By the Democrats of the Finance Committee.

Mr. CLARK of Wyoming. How many members are there of the Finance Committee?

Mr. SMITH of Georgia. There are 17 members.

Mr. CLARK of Wyoming. How many Democratic members?

Mr. SMITH of Georgia. There are 10 Democratic members.

Mr. CLARK of Wyoming. How many members are there of the subcommittee?

Mr. SMITH of Georgia. There are three.

Mr. CLARK of Wyoming. Do any of the Democratic members of the committee, except the three, have the cotton schedule in charge?

Mr. SMITH of Georgia. The three have it first in charge. The three will carry back to all of the Democrats of the committee the result of their work, and the 10 Democrats will then go over the schedules together. We are sitting down in the room below, permitting Senators and Congressmen, anyone who wishes, to come, and we are taking up the criticized provisions in the schedule. We are taking up any provisions in those schedules that are criticized, consolidating, as far as we can, the men who wish to criticize them, and hearing them together.

I can not better illustrate what we are doing than by what we have been doing to-day. To-day we had before us the presidents of two great organizations of cotton-manufacturing companies and a dozen additional manufacturers. We also had Senator LIPPITT with us nearly the entire day. We allowed them to point out paragraph after paragraph that they criticized and to file their written briefs upon them, and to give us all the information they wished. The room was large; the door was open; anyone who wished or who was willing to be there could come. Republican Senators, Republican Members of the House, and Democratic Members of the House have brought their representatives before us and have stayed with us during the examinations.

Mr. CLARK of Wyoming. Mr. President, I know the Senator from Georgia is doing his entire duty as a Senator in being informed upon the cotton and other schedules which he has in immediate charge. I know he is listening patiently to the suggestions of any interest that may appear before him. But I think the Senator will hardly say that a hearing before a subcommittee of 3 of a large committee of 17 is a public hearing before that committee in the sense in which public hearings are usually spoken of.

Mr. SMITH of Georgia. Mr. President, I am glad to have an opportunity to answer the Senator. I do not believe it would be possible for 17 men to get the benefit from these conferences

that we three get. I do not think a public meeting consisting of 17 men could do the work so effectively. We have passed from that stage of the investigation. There are volumes upon volumes of testimony that has been taken in that way. If additional information is desired by any Senator upon any schedule or any item of a schedule referred to our subcommittee, we will be glad to furnish him briefs and point him to ten times the written testimony that he will undertake to examine.

Mr. SMOOT. Mr. President, of course I know that this bill is going to be referred to the 10 Democrats upon the Finance Committee, and I believe I know that it will not stop there. I believe I know that it will then be taken to the caucus, and whatever the caucus decides the Democratic Members of the Senate are going to follow.

Mr. SMITH of Georgia. I think that is very probably true.

Mr. SMOOT. That is what I predict.

Mr. SMITH of Georgia. It is a Democratic measure and it ought to be presented as a Democratic measure, and we are going to take the responsibility for it when it is passed.

Mr. SMOOT. Yes; and I am pleased that you will have to take the responsibility. But I was going to ask the Senator whether he thinks it proper that Senators who do not believe that rates fixed in any particular schedule by a Democratic caucus are right, who believe they will bring ruin to the industries in their States, should be bound by a caucus rule as to how they should vote?

Mr. SMITH of Georgia. I will answer the Senator. I do not believe it is possible for a complete tariff schedule to be made up which would entirely satisfy anyone. I do not expect the schedules that our committee agrees upon to satisfy me entirely. A schedule covering thousands of items will be made up finally by mutual concessions, and the responsibility will be upon each Senator when the entire bill is made up to determine whether he does or does not prefer the measure to the present law.

Mr. GALLINGER. Mr. President, will the Senator from Utah permit me to ask the Senator from Georgia a question?

Mr. SMOOT. Certainly.

Mr. GALLINGER. I should like to ask my friend from Georgia whether the manufacturers of the country generally understand, or have had any means of understanding, that these hearings are being held by the subcommittees?

Mr. SMITH of Georgia. I have no doubt of it. I will state the extent to which we have gone. I know all the cotton-manufacturing men understand it, and are formally represented here to-day.

Mr. SMOOT. Cotton, of course.

Mr. SMITH of Georgia. And I want to say to the Senator that there is no effort to increase the rates on cotton manufactures in my State.

Mr. GALLINGER. Mr. President—

Mr. SMITH of Georgia. One moment, Mr. President. I think it is due me to reply to that side remark of the Senator. He turned his back upon me, and, looking in the other direction, said, "Yes; cotton." Undoubtedly the just impression that anyone might get who did not know his relations to me, which are most cordial, might be that he meant I wanted to take care of cotton because my people manufactured it, and to disregard everything else. I want the privilege of answering that. Not a suggestion of a raise of a rate on cotton manufactured goods has come to me from Georgia. The rates that we are studying are upon the higher fabrics, the finer fabrics, manufactured in New England.

Mr. SMOOT. Such as gingham?

Mr. SMITH of Georgia. Yes; that is one of them.

Mr. SMOOT. Mr. President, I do not say anyone from Georgia has come to the Senator for advances on rates on cotton.

Mr. SMITH of Georgia. No; but you insinuate—

Mr. SMOOT. I will more than insinuate now.

Mr. SMITH of Georgia. I state that it is untrue that anybody has come to me from Georgia upon this subject or with reference to Georgia interests. The Senator must not insinuate that that is influencing me in the matter either, because that would not be right.

Mr. SMOOT. Mr. President, if the Senator had just waited a moment—

Mr. SMITH of Georgia. I will wait. I wait, Mr. President. In the most amiable manner, I wait.

Mr. SMOOT. If the Senator had just waited, all that he has said would have been unnecessary. I do not claim that anyone from Georgia has come directly to the Senator; but I do claim that representatives of the cotton associations have been here, and that they represent every cotton industry of the South. What difference does it make, Mr. President,

whether they come directly from Georgia or whether they send their representatives here, representing all of the cotton industries of the country?

Mr. SMITH of Georgia. That is true, Mr. President.

Mr. SMOOT. That is all I was going to say, Mr. President. That is all I did say; and the Senator has placed upon what I said a construction that was uncalled for.

Mr. SMITH of Georgia. What I wanted to emphasize was that the places in the schedule to which our attention is being particularly called by people asking for a reclassification apply almost exclusively to New England manufactures, where the higher fabrics and productions are made, and where it is insisted that sufficient recognition of the cost of conversion is not found, by proper classifications, in the bill.

Mr. SMOOT. That will all be pointed out, Mr. President, when the bill comes into the Senate.

Mr. GALLINGER. If the Senator will permit me to repeat my question to the Senator from Georgia—

Mr. SMOOT. Certainly.

Mr. GALLINGER. I want to give intelligent information to my constituents. There are a great variety of manufacturers in New England, small manufacturers making such articles as latch needles, we will say, and cutlery, and other things. Have those men had any means of knowing that there are hearings going on here? And if they have not, can I get definite information whereby I can inform them and have them come here in order to have them?

Mr. SMITH of Georgia. The Senator from Colorado tells me that that is his schedule and that they have been before him day after day. I can only refer to the schedules before the subcommittee of which I am a member.

I want to say to the Senator from New Hampshire that we expect to continue all next week hearings and conferring with men who come to criticize particular schedules. We have been through nearly every schedule with representatives of the industry affected. We have sent for importers when the manufacturers have been with us. We have sent for the Government representatives when they were with us. We have been seeking to apply the written information that has already been published by means of the practical suggestions that can come to a small number of men sitting down in a room, conferring, rather than with the formality of hearing testimony. I want to say that I should be glad to have anybody in New England who is interested in these schedules communicate with us, in writing or orally.

Mr. GALLINGER. The reason I asked the question was that from my correspondence I judged that the persons writing me have felt that they would not have hearings; and they have been very insistent and clamorous for the committee to have public hearings, so that they might appear and present their case. That is the only object I had in view in asking the question.

Mr. SMITH of Georgia. I have been trying for several days to get an opportunity, just for a few minutes, to explain the way in which our subcommittee is conducting hearings, and to let it be known by everybody and to invite people to appear. We have had at least 50 Members of the House come before us with their constituents; and all the members of the House understood it, Republicans and Democrats.

I thank the Senator for yielding to me. I had no idea of interrupting him for so long a time. I am sure the Senators upon the other side want to be fair in this matter, however, and I wanted to let you know that we are sitting down with every man who has a criticism and investigating the criticisms with that thoroughness which can not be had at a public meeting of 17.

Mr. SMOOT. Mr. President, I disagree with the conclusion of the Senator, because I think it could be done a great deal better by the full committee.

Mr. SMITH of Georgia. That is where we differ.

Mr. SMOOT. The idea of putting the interests of this whole country in the case of one schedule whose invested capital is \$400,000,000, with an annual pay roll of nearly that amount, in the hands of three men to decide the question as to what shall be its future, and these three men behind closed doors.

Mr. BRISTOW. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. I yield to the Senator.

Mr. BRISTOW. I want to ask a question of the Senator from Georgia, if I may. I agree that the same process is being gone through by the Finance Committee now that was followed by the Finance Committee four years ago. It seems to me exactly the same. I objected to it then, and I object to it now. What I want to inquire is, Why can not these subcommittees

have their hearings printed, so that any Member of the Senate can have the advantage of them when the discussion of the bill comes up, as well as the individual members of the subcommittee?

Mr. SMITH of Georgia. We have not had a stenographer with us to take down all that is said. It would have been a source of gratification to me to have had one and to have furnished anything that came to us to anyone who wished it. They have, in nearly every instance, furnished us in writing practically everything they said. They have made a presentation of all the facts and then they have given us individually, by the personal conference, a more perfect comprehension of what they had put in writing.

Mr. BRISTOW. I understand. That is very valuable to the subcommittee. I believe it is more practical to handle it by subcommittees than by a committee of 17.

Mr. SMITH of Georgia. It is the only way—

Mr. BRISTOW. If the Senator will excuse me, when each schedule is handled by a subcommittee, it seems to me the information which that subcommittee elicits ought to be for the use of the Senate, and not solely for the use of the subcommittee. My objection is that these proceedings which the subcommittees are holding will not be of any use to Members of the Senate who have not the good fortune to be members of the Finance Committee or of a subcommittee.

Mr. SMITH of Georgia. The briefs or written arguments we have, and they are ready to be furnished to any Senator who would like to have them. The oral explanations really are to make us comprehend the written arguments, so that we can write more correctly any modification we may wish to make in the bill.

Mr. BRISTOW. If the Senator will pardon me, I know he wants to be fair, and I have great confidence in the Senator, but he will realize how important we feel it is to us to have exactly the same explanation available for our use that the Senator himself as a member of the subcommittee is getting; and that is the weakness of the resistance to hearings. I do not want hearings that will prolong the bill into the summer; I want to get away as quickly as anybody; nor will any one man read anything like the hearings before any one of the subcommittees; but they are books of reference and there are special items which interest every Senator whose constituents are interested. All the information that the committee has the advantage of should be published, so that any Senator may avail himself of that information.

Mr. SMITH of Georgia. That would be impossible; certainly as to the past evidence. So far as I am concerned, I would have been glad to have had every conversation and every conference we have had taken down in shorthand, if it had been suggested earlier that any Senator would like to have it. I really thought there was so much more already printed than any Senator would examine that we were merely being helped by the oral conference to know just how to make modifications.

For instance, we have a written brief pointing out that putting indigo on the free list is not sufficient, that alizarin and anthracene ought to be on the free list; and not only ought they to be on the free list, but that the dyes derived therefrom ought to be on it. We have a brief on that subject which is elaborate.

Parties interested come before us and point out the sections covering the subject and explain their briefs. We have a Government expert present who aids our investigation, and we seek the help of both for the further study of the question.

Mr. SMOOT. I have received hundreds of letters from all parts of the United States, the writers claiming to have received letters from Representatives of their districts in which they answered letters in protest of the tariff bill. On receipt of the letter protesting against items in the bill the answer from the Representative was something like this:

"Your letter received. I am sorry that your protest did not come earlier. If it had, no doubt the change could have been made; but now that the Democratic caucus has passed upon the bill it is impossible to change it. However, if you can get your Senator to change it, I am assured that the Members of the House of Representatives will not object."

Mr. President, are these protestants to be treated in the same way by the Senate? We will see when the bill is reported from the committee.

I had so much to say to-day, Mr. President, that I do not know where to begin now, as my time is about expended. Senators on the other side talk as if there was no necessity for hearings. They point to the information contained in the handbook that was issued by the Ways and Means Committee of the House, sometimes called the Democratic tariff bible. From a casual examination I find that if the information in

that handbook is to be followed by your party as a basis for tariff rates the result would be absolutely ruinous to certain industries, for the information is not true.

Take paragraph 285, linoleum and corticine, and all other fabrics for coverings for floors. The handbook says that there is a production in this country of \$108,731,948. That is not true, Mr. President. There is a production of only \$24,176,224.

What are the facts? They have taken the production of all the tablecloth and put it into Schedule J. The very figures ought to have shown any man in the House of Representatives that they were false. It is stated that the unit value of production is 13 cents per square yard. There is not a man who does not know that could not be if it were linoleum. Yet they recommend a rate based upon this kind of information.

Then they say that the exports of this item are \$353,544. Mr. President, there is not a dollar of export. The export was all table oilcloth, and falls in Schedule I instead of Schedule J. This is the class of information that is given in the handbook, and Congress is asked to act upon it.

Mr. President, this is importers' day. The importers have their innings, and the Halls of Congress are daily filled with them. I met the other morning a manufacturer of steel buttons. The wording covering this particular item is taken from Schedule N and placed in Schedule C and is added to so that it includes not only steel trouser buttons, but every form of metal buttons, and the wording used will lead to endless suits. This manufacturer happened to meet one of the importers just coming from the subcommittee, and he said to him, "Have you noticed the wording of that particular item? There certainly is a mistake in it, and I am going before the subcommittee and see if I can not have it changed." The importer said, "You need not try. There is no mistake; I wrote it myself."

Mr. REED. Mr. President, it would be interesting now to know the name of the importer.

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SMOOT. No, Mr. President; I do not yield at this time. I suppose if there is any desire on the part of the Senator to know the name, the subcommittee will know the importers who have been before them, and they can find it out and give the information to the Senator.

Mr. REED. It is interesting to know whether any importer wrote that schedule.

Mr. SMOOT. Mr. President, I have no doubt the statement is true, and if we have these hearings we are asking for you will find out whether they did or not.

Mr. REED. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SMOOT. Mr. President, the Senator from Wisconsin [Mr. LA FOLLETTE] wants to speak upon his amendment, and I think he is entitled to the floor. I have not even started to cover what I wanted to say, but I feel that it is my duty to yield to the Senator.

I will say just one word, and then close, Mr. President. I do not want to be discourteous to the Senator from Missouri, but the general debate must end at 3 o'clock.

Mr. REED. The Senator need not apologize.

Mr. SMOOT. Otherwise I would yield to the Senator willingly for any question that he might wish to ask.

Mr. President, who is rejoicing over the prospect of the passage of this bill? Not the American manufacturer or the American laborer. England is rejoicing; Germany is rejoicing; France is rejoicing; every foreign country is rejoicing. I want to say to the Senators upon the other side of this Chamber I have a collection of articles from all these countries showing how their manufacturers are preparing to invade the American market. Remember, every additional dollar imported means that much less for the American laborer to produce. I am not a calamity howler. There never was a time in the history of the country when you could put your tariff rates into force with as little disturbance to business as the present. Prosperity is almost universal. The cost of everything is high all over the world. In England, in Germany, in France, and in every civilized country men are well employed. There is a demand for goods, and they command a high price. I hope to see this condition of affairs continue, but I know it will not do so forever. It may for one, two, three, or four years; but I say to my Democratic brethren now that whenever the time comes that prosperity ceases in Europe and hard times are the universal condition in the world, as was the case in 1893, the foreigner, before he closes his business, is going to invade the American market, and then is the time when our workmen will be out of employment. Whether this condition will occur next year or the year after I am not prepared to say, but I do know when it comes the result will be the same as it

was in 1893 and your party will be retired from power for another quarter of a century.

Mr. LA FOLLETTE. Mr. President, the discussion has covered a wide range and has been very interesting. Much of it, however, would have better application after the bill has been considered by the committee and reported. I should like to bring the Senate back now for a few minutes to the consideration of the pending motion, which proposes to refer the bill to the Committee on Finance with instructions.

Mr. President, I want to say at the outset that I can not join with my colleagues upon this side in sweeping criticism of the manner in which the members of the Finance Committee are now proceeding, because, Mr. President, it is a matter of tariff history that the majority members of the present Finance Committee are engaged in doing exactly what the majority members of the Finance Committee did four years ago under Republican control. They are conducting hearings in secret; that is, they are conducting hearings that are not open to the public. There are no representatives of the press present, and opportunity to be heard is granted only to those who are invited in by the majority members of the Finance Committee. This is just as hearings were conducted under the Aldrich régime. Four years ago the Payne-Aldrich bill, after being in the possession of, not the Finance Committee, but the Republican members of the Finance Committee, for 48 hours, behind locked doors, was reported back to the Senate with something like 600 amendments. And I remember standing on this floor then and protesting against that procedure.

Mr. President, the Democratic majority of the Committee on Finance is now engaged in conducting like hearings, as I understand it. And I apprehend that when the bill is reported back to the Senate for its consideration it will come with the amendments and corrections which the majority, as a result of those hearings, believe ought to be made to the bill as it passed the House.

Mr. SMITH of Georgia. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LA FOLLETTE. I do.

Mr. SMITH of Georgia. I only desire the opportunity to correct the Senator in a slight extent. The newspaper men are not excluded at our hearings downstairs. I have myself invited them to be present. Everyone is welcome who wants to come. Only three of us are doing the work; we are asking the questions and trying to narrow the information down.

Mr. LA FOLLETTE. I am very happy, Mr. President, to hear that and to accept the correction of the Senator from Georgia. I differ with him when he says that it is only a slight correction. I think it is an important correction. I think it tremendously important that all legislative committee hearings should be open to the public. And I am glad to know that the Democratic majority of the Finance Committee in conducting hearings upon the tariff bill at this time—although they be somewhat limited hearings—are permitting representatives of the press to attend. I consider that a most significant and important departure.

Mr. President, I have but a few moments in which to submit some observations before the time for general debate expires. If I have not concluded in 10 minutes, I shall ask the presiding officer to recognize me to make a slight amendment pro forma, in order that I may speak for 10 minutes additional upon it.

Mr. SIMMONS. Mr. President, I wish to say to the Senator that my understanding of the agreement was that the 10-minute order should not begin until 3 o'clock.

Mr. LA FOLLETTE. I think it does.

Mr. SMITH of Georgia. The Senator will have 10 minutes afterwards.

Mr. LA FOLLETTE. At that time I will speak upon my pending amendment. So that allows me in all 20 minutes, and I think I can conclude in that time.

Mr. President, with the difference, then, that the Democratic majority of the Finance Committee have granted permission to representatives of the press to attend these hearings, the proceedings at this time are exactly what they were four years ago.

Indeed, Mr. President, as I have traced the history of the various tariff bills, public hearings have been conducted by the Ways and Means Committee first in the House, with both parties on the committee present. Such hearings were always held in advance of the introduction of the bill.

Complaint has been made that hearings upon the pending bill have been held prior to its introduction. That is true. So the hearings on the Payne-Aldrich bill were held prior to the introduction of the bill by Mr. PAYNE in the House. The hearings upon that bill began months before it was introduced in the House of Representatives. The testimony filled some 10 printed

volumes, and was taken before the bill was ever introduced. The bill was introduced—

Mr. STONE. Was that hearing held by the Republican members of the committee?

Mr. LA FOLLETTE. No; all of these printed hearings, of which we may obtain the different sets—

Mr. STONE. I have a set.

Mr. LA FOLLETTE. Were before the full committee. I was a member of the Ways and Means Committee when the McKinley bill was framed. We began our hearings in December. They were public, open hearings. They were held in the presence of all the members of that committee—Democratic as well as Republican members—and an opportunity was given for cross-examination freely by the representatives of the different political parties upon that committee. And all the hearings from that time down to this have been held in exactly the same way—before the bill was introduced. On the Wilson bill, which followed the McKinley bill, that was the fact. On the Dingley bill, which followed the Wilson bill, the hearings were held in the same way and were completed before the bill was introduced.

The same was true of the Payne bill. The hearings were held in the open. Both parties as represented upon the Ways and Means Committee were present. They had an opportunity to cross-examine everybody who appeared. Then, after the hearings were completed, the bill was framed, and on the 17th of March Mr. PAYNE—

Mr. CLARK of Wyoming. When did the hearings begin?

Mr. LA FOLLETTE. The hearings began November 10, 1908, and were completed before the bill was introduced. The same has been true of every tariff bill.

Mr. President, it was my impression that the McKinley committee had been more open in its proceedings than subsequent committees. But when I examined the record of the various tariff bills I found that the procedure of the Ways and Means Committee has been almost identical in the case of every tariff bill from 1890 down to the present time.

Furthermore, I find that the course of the Senate Finance Committee has been equally consistent. After the bill has been messaged over from the House it has been the practice to refer it to the Finance Committee. And I find no record anywhere of public hearings by the Senate Finance Committee. Such hearings as they have granted were held by the majority members. And, as I say, I do not find any printed record of them. In the debate occasional reference is made to them by way of criticism. Senators will remember that we had that sort of criticism four years ago on the Payne-Aldrich bill. I recall that Democratic Senators rose here and complained, and I did myself, because Senator Aldrich was conducting secluded hearings on that bill. And I remember that Senator Bailey defended that proceeding, stating that it was exactly what all other parties had done and citing specifically the case of the Wilson bill, which the Democratic members of the Senate Committee on Finance revised in private sessions.

Mr. STONE. I do not want to interrupt the Senator, but I should like to have him put in his remarks the statement that while the majority Members are holding these hearings the minority Members are having hearings also with the same sort of assistance—Government expert assistance.

Mr. LA FOLLETTE. I do not understand that the minority Members of the committee are holding hearings as members of the committee. I am free to say that the Committee on Finance has granted me an assistant to aid me in my work upon the bill.

Mr. STONE. And the other minority Members.

Mr. LA FOLLETTE. Now, Mr. President, I am willing as a Republican to take advantage of—

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. LA FOLLETTE. I do.

Mr. SIMMONS. I wish to state to the Senator that I think he is entirely correct when he says that all the hearings before the Ways and Means Committee have been before the bill was framed. The hearings have been with a view to assisting them in framing the bill. I think the Senator is further correct in saying that the Finance Committee of the Senate has never had hearings upon these tariff bills, with one single exception. The only exception that I know to that rule was with reference to the House schedule bills last year. Then, as the Senator knows, there was one party in power in the House and another in the Senate, and the House committee did not give hearings on the schedule bills because of the recent hearings upon the Payne-Aldrich bill. But when the bill came over here, a different party being in power in this body and having a majority upon the Finance Committee, they insisted upon adopting a

rule that the Finance Committee had never before adopted, and had hearings before that committee.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him a moment?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I do.

Mr. GALLINGER. I rose before the Senator from North Carolina [Mr. SIMMONS] did to call the Senator's attention to the fact that we had hearings on all those schedule bills that came over from the other House. Here is a printed hearing on Schedule E [exhibiting].

Mr. LA FOLLETTE. That is true.

Mr. GALLINGER. It is on sugar, molasses, sirup, and so forth, and on every bill that came over we had public hearings.

Mr. SIMMONS. That was the first time the Finance Committee had ever had public hearings upon tariff bills to my knowledge.

Mr. LA FOLLETTE. I was tracing the history, Mr. President, of tariff revision, of general bills, and I think I stated the facts accurately.

The present proceeding is strikingly parallel to that of four years ago. The action of the present Democratic majority is no more unwarranted than the action of the then Republican majority. Nor can such unwarranted action then justify a wrong course at this time.

The VICE PRESIDENT. The hour of 3 o'clock having arrived, the Chair recognizes the Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, I favor the motion for open public hearings before the full Committee on Finance in the presence of the representatives of both sides. I am opposed to excluding any of the members of any legislative committee from committee hearings. I believe that the appointees of both parties upon the committees that have charge of legislation have the right to be present. And, sir, I believe that it is in the interest of the public that they should be present. I believe that the doors of committees should stand open; I believe that the representatives of the press should be permitted to attend these meetings. I think that even the caucuses of political parties, when they deal through their representatives with the public business, should be open to the public. I can not believe that it is in the interest of the public to transact business affecting all the people in private or secret conferences, for surely all legislative business is public business.

And so, Mr. President, I am in favor of having this bill referred to the Committee on Finance with the instruction that it shall proceed to hold open hearings upon the subjects with which it deals.

As I say, I believe that proceedings before committees upon all legislation should be open to the public. And this is particularly true when we come to consideration of the tariff. It deals with great interests; it deals with interests that have had the benefit of special advantage; it deals with interests whose advantages are to be taken away from them altogether or are to be modified by the proposed bill. There is opportunity for misinformation if you permit only partial hearings. And if you conduct hearings before only a limited number of the committee, if you permit hearings where there may not be the widest publicity and the most searching cross-examination of those who appear, you may be misled, however honest your intentions. For your own protection those hearings should be open and in the presence of the opposition. They should not be under the suspicion which attaches to all secret and ex parte proceedings.

More than that, Mr. President, in a tariff bill there is opportunity for sectional advantage; there is opportunity within a single industry for advantage of one branch of that industry over another. There is no subject of legislation where there ought to be more searching investigation or wider publicity with no opportunity afforded for special favor to any branch of any industry.

Besides all this, Mr. President, every man who has sought for information from these printed tariff hearings has been forced to search through a mass of vague, unsubstantial matter of such a general nature as to prove very discouraging.

To determine the proper rate, whether it be a protective rate or a revenue rate, requires definite and exact information as to every industry affected.

To that end I have proposed an amendment which will require the Committee on Finance to compel those appearing before the committee to protest against the duties proposed in the pending bill to answer certain specific questions.

These questions are as follows:

1. What is the nature and use of the commodity which you produce?
2. What are the raw materials used in its production?

3. What is the amount of the production of this commodity in this country?
4. What is the amount of the consumption of this commodity in this country?
5. How many concerns are engaged in the manufacture of the commodity under consideration?
6. Who are the principal producers?
7. What are the ruling market prices of this commodity in this country?
8. What are the ruling market prices of this commodity in competing countries?
9. What is the total cost of production per unit of product in this country?
10. What is the total cost of production per unit of product in competing countries?
11. What is the percentage of the labor cost to the total cost of a unit of product in this country?
12. What is the percentage of the labor cost to the total cost of a unit of product in competing foreign countries?
13. What is the cost of transportation to the principal markets in this country from the principal point of production in this country?
14. What is the cost of transportation to the principal markets in this country from the principal points of production in competing foreign countries?
15. What part of the existing duty represents the difference in the cost of production between this and competing foreign countries?
16. What part of the existing duty represents the profit of the American manufacturer?

The answers to these questions will furnish the committee and the country with detailed information, without which it is wholly impossible to know whether duties are too high or too low. A tariff investigation should be conducted upon scientific lines.

It matters not whether it is the aim to fix duties at a point where they will be fair to the manufacturer, fair to the labor which he employs, and at the same time fair to the consumer; it matters not if the bill is to be framed solely as a revenue measure and against the principle of protection, this information is vital.

Without the facts which the answers to these questions will furnish the committee can not possibly know whether the duty fixed on any product is a protective duty or solely a revenue duty.

If the duty is a protective duty, the committee can not know whether the rate is excessively protective or not.

If the duty should be so low as to have eliminated all of the protective elements of the duty, then the committee can not, without this information, know whether the duty is fixed at the point where it would produce the largest measure of revenue possible.

If it is aimed to reduce the duty to a level that will maintain a sharp competition between the domestic producer and the foreign producer, then the data which the answers to these questions will furnish the committee will enable it to make the duty what is termed a competitive duty.

Limit the open hearings, if you wish; I am not working for delay, but merely seeking the truth. That is what we want, Mr. President. I perhaps do not agree with many of my colleagues. There are some men so strongly partisan, Mr. President, that they are willing to see the worst possible bill enacted; a bill that shall bring ruin and disaster, a bill that shall not be even just to the 90,000,000 people who are the consumers; a bill that shall bear with great hardship on the millions of men and women who are wage earners; a bill that shall oppress and injure the hundreds of millions of capital invested—there are some men, I say, Mr. President, who would rejoice to see such a bill passed; in the hope that it would create a political revolution and force a return to the high rates of the Payne-Aldrich law.

Mr. President, I am a Republican. I want to see a protective bill; but I want it so moderately protective that it will fairly measure, as best we can with our imperfect information, the difference between the cost of producing the thing upon this side of the ocean and producing it on the other side, so that that difference will be justly equalized by the tariff. Then the laborer will be protected. That is my concern; that is what I want to see. I do not want to see a bill passed by you Democrats so bad that because of the radical changes wrought depression and disaster will follow it, bringing back into power the men who represent the other extreme of tariff, the highest possible duties. I do not want to see the American people forever ground between the representatives of a tariff so low that it will oppress our labor and the representatives of a protective tariff so high that it will burden and oppress the consumers of the country.

I appealed to my Republican colleagues four years ago to consent to such a reduction as would measure the difference in the cost of production here and abroad. If they had been satisfied with just and reasonable rates, we would have been able to maintain them.

Mr. President, I have exhausted my time, but not my subject.

Before I yield the floor I ask leave to print in connection with my remarks a signed editorial which I recently published in *La Follette's Weekly*. It bears directly upon the subject under

discussion and I venture to suggest that it may be found of interest.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The matter referred to is as follows:

DEMOCRATIZING THE SENATE.

On Tuesday, April 8, the Senate Democrats in caucus adopted a resolution which it is hoped marks the beginning of an important reform. It provides (1) that a majority of a committee may call the committee together at any time for the consideration of any pending bill; (2) that a majority of the majority members of a committee may name subcommittees to consider pending bills and report the same for action by the full committee; (3) that a majority of the majority members of any committee may name committees to confer with House conferees on any bill upon which the two Houses have disagreed.

The standing committees of the Senate are selected under a plan which enables a few men to control the action of the Senate on legislation. For years these rules have been in existence. From time to time I have criticized this plan of control upon the floor of the Senate and editorially in *La Follette's*. I can not better describe the method through which this mastery of legislation has been centered in the hands of a few Senators than by quoting from my discussion of the Lorimer case May 26, 1911:

"Sir, I believe the time is near at hand when we will change the practice of naming the regular or standing committees of the Senate.

"It is un-American. It is undemocratic. It has grown into an abuse. It typifies all of the most harmful practices which have led an enlightened and aroused public judgment to decree the destruction of the caucus, convention, and delegate system of party nominations.

"Under the present system of choosing the standing committees of the United States Senate, a party caucus is called. A chairman is authorized to appoint a committee on committees. The caucus adjourns. The committee on committees is thereafter appointed by the chairman of the caucus. It proceeds to determine the committee assignments of Senators. This places the selection of the membership of the standing committees completely in the hands of a majority of the committee on committees, because in practice the caucus ratifies the action of the committee and the Senate ratifies the action of the caucus.

"See now what has happened. The people have delegated us to represent them in the Senate. The Senate, in effect, has delegated its authority to party caucuses upon either side.

"The party caucus delegates its authority to a chairman to select a committee on committees. The committee on committees largely defer to the chairman of the committee on committees in the final decision as to committee assignments.

"The standing committees of the Senate, so selected, Mr. President, determine the fate of all bills; they report, shape, or suppress legislation practically at will.

"Hence the control of legislation, speaking in a broad sense, has been delegated and redelegated until responsibility to the public has been so weakened that the public can scarcely be said to be represented at all."

Under this system the leader of the majority practically controls committee assignments of the majority membership of the Senate; and in like manner the minority leader controls the committee assignments of the minority membership. When the Senate was Democratic, Mr. Gorman directed the majority committee assignments, and thus controlled legislation. When the Senate was Republican, Mr. Aldrich directed the majority committee assignments, and thus controlled legislation.

But the system does not stop here. To make this control of legislation water-tight, the trusted lieutenants assigned to the chairmanship of the committees have always exercised authority (1) to determine when a committee should meet; (2) to appoint subcommittees for the consideration of all bills referred to the committee by the Senate; and (3) to name the conferees to be appointed by the presiding officer of the Senate.

Thus the chairman through his power to call or refusal to call meetings of committees indirectly controls committee action or non-action upon bills. He can select a "safe" subcommittee to suppress or hamstring measures to which the system is opposed. And finally, through his ability to select conferees, he exercises an especially insidious and despotic power over legislation, because the conferees can in conference radically change a measure passed by the Senate; and when reported back to that body for final action their report, under a rule which still further augments this power, is not subject to amendment by the Senate, but must be accepted or rejected as a whole. This latter rule is a most vicious one. Often the Senate is confronted with the problem of accepting bad provisions in order to secure good provisions or of rejecting good provisions in order to defeat bad ones which have been incorporated in conference.

But this proposed reform by the Democratic majority does not go to the root of the matter. The action of committees, subcommittees, and conference committees on all bills is conducted in executive session—that is to say, in secret session. As a member of the Senate I have again and again protested against the secret action of congressional committees upon public business, and against the business of Congress being taken into secret party caucuses and there disposed of by party rule. I have maintained at all times my right as a public servant to discuss in open Senate and elsewhere, publicly, all legislative proceedings, whether originating in the executive sessions of committees or behind the closed doors of caucuses and conferences.

Evil and corruption thrive best in the dark. Many, if not most, of the acts of legislative dishonesty which have made scandalous the proceedings of Congress and State legislatures could never have reached the first stage had they not been conceived and practically consummated in secret conferences, secret caucuses, secret sessions of committees, and then carried through the legislative body with little or no discussion.

The rules of the House of Representatives and of the Senate should be so changed as to require caucuses and committees to make and keep for public inspection a record of every act of such organizations involving the public business.

In a great body like the Congress of the United States nearly all legislation is controlled by committees. The action of a subcommittee has great weight with the committee. The sanction of a committee is practically controlling with Congress. Members of Congress and the Senate must, in large measure, depend for the details of legislation upon the committees appointed for the purpose of perfecting legislation. As the business of the country grows, and the subjects of legisla-

tion multiply, so committee action upon bills becomes more and more important.

We spend large sums of money to print the CONGRESSIONAL RECORD in order that the public may be made acquainted with the conduct of their business, and then we transact the important part of the business behind the locked doors of committee rooms. The public believes that the CONGRESSIONAL RECORD tells the complete story, when it is in reality only the final chapter.

By its caucus action the Democratic majority promises a partial reform. It should make this first step secure by incorporating it as a part of the Senate's code of procedure. The mere adoption of resolutions limiting the power of the chairmen of committees can readily be modified or reversed by subsequent caucus action. Once a part of the standing rules of the Senate the record will be made, and this arbitrary power will never again be restored to the chairmen of committees.

But, more than this, the rules of the Senate must be so changed as to provide for the election of members of committees by the Senate, pursuant to a direct primary conducted by each party organization under regulations prescribed by Senate rules.

The chairmen of the committees should be elected by a record vote of the members of such committees.

The conferees on all bills should be elected by a record vote of the members of the committees reporting such bills.

A permanent record should be made of the action of caucuses, standing committees, and conference committees upon all matters affecting legislation.

All caucus proceedings touching legislation, and the proceedings of subcommittees, committees, and conference committees should be open to the public.

Then, and not until then, will the Senate be truly democratized.

ROBERT M. LA FOLLETTE.

Mr. LA FOLLETTE subsequently said: Mr. President, the Senator from Massachusetts [Mr. LODGE] has called my attention to the fact that there is one instance in the tariff history of the last 50 years in which the Senate Committee on Finance held open public hearings on a general tariff bill aside from those held by the Finance Committee on the special schedules a year ago. That was upon the Mills bill of 1888. The Senator has kindly furnished me with a report which I was unable to get from the Senate library myself and which contains those hearings. In that report, made by Senator Aldrich, I find the following:

For weeks we have patiently listened to persons employed in the various pursuits and from every section, and with doors open to all we have received the advice and counsel of the men whose labor, enterprise, and skill have made the United States the foremost industrial country of the world, and not one person has appeared to approve or to advocate the bill under consideration.

I had called for exactly that information and received this report:

So far as the records of the Senate Library show, there were no hearings on the Walker tariff, the Morrill tariff, the Morrison Act, or the Mills bill; and there are no documents showing hearings on any of these measures.

This was upon the Mills bill, and to that extent the report was in error. That mistake is chargeable neither to my own secretary, who was dispatched to the Senate Library to secure the information, nor to the Senate librarian, but to an omission in the index which misled those who were making the search for me. The fact remains, however, that upon no tariff bill which became a law were Senate hearings ever accorded.

Mr. SIMMONS. Mr. President, I only desire to say to the Senator from Wisconsin [Mr. LA FOLLETTE], with respect to the interrogatories that he proposes to ask in his amendment shall be submitted to the industries asking protection, that after conference with members of the Finance Committee I can say to the Senator that it is our purpose, whatever may be the result of the controversy now before the Senate, to send those interrogatories to the representative of every industry that has filed a brief with us or who has appeared before the committee asking for a duty upon their product, with the request that they will cause those interrogatories to be answered under oath and send the committee their answers.

Mr. President, when the Senator from Utah was upon his feet—

Mr. LA FOLLETTE. Will the Senator permit just a brief interruption there? I know his time is limited.

Mr. SIMMONS. I yield.

Mr. LA FOLLETTE. If we can not have those questions answered in any other way except in writing by the interests that are seeking to maintain existing duties, I shall be glad to have them answered in that way; but there is a world of difference between their being answered in that way and the representatives of such industries appearing before the committee and being cross-examined upon their answers.

Mr. SIMMONS. I simply wanted to state to the Senator what was our purpose with reference to it.

When the Senator from Utah [Mr. SMOOT] was about to close his speech, he referred to the Democratic handbook, so-called, and took occasion to criticize very severely some of the data contained in that handbook, which I thought a little foreign to the subject, and I wish to call the Senator's attention to the subject which he selected for special animadversion,

that of linoleum. The Senator said, as a basis of his criticism of the data furnished in this handbook upon that subject, that the book showed that there were imported into this country \$108,000,000 worth of this product.

Mr. SMOOT. Mr. President—

Mr. SIMMONS. I thought the Senator must be mistaken as to his facts. I tried to interrupt him, but he was so excited that he could not see except upon the other side of the Chamber.

Mr. SMOOT. So earnest, the Senator means.

Mr. SIMMONS. Just a moment. Immediately after the Senator had taken his seat, I went to his desk and asked him if he meant \$108,000,000, and the Senator said to me that he did.

Mr. SMOOT. Mr. President, I will say to the Senator if that is what he asked, I certainly misunderstood him.

Mr. SIMMONS. That is what the Senator said upon the floor.

Mr. SMOOT. I think not, Mr. President.

Mr. SIMMONS. That this book showed that there were produced in this country \$108,000,000 worth of this product.

Mr. SMOOT. I do not think I said there was \$108,000,000 worth produced. I said there were 108,000,000 square yards produced in this country.

Mr. SIMMONS. No; the Senator said "dollars," because I went and asked if he said "dollars," and the Senator told me that he said "dollars," and insisted that he was correct.

Mr. SMOOT. I will now call the Senator's attention to the facts as they are. If I said "dollars," it was a slip of the tongue. The Senator ought to know that it was a slip of the tongue, because I followed the statement immediately by giving the unit of value, 13 cents.

Mr. SIMMONS. I went to the Senator to find out whether it was a slip of the tongue.

Mr. SMOOT. I spoke of the mistakes of the handbook as a reason why we ought to have hearings.

Mr. SIMMONS. If the Senator has in his mind what he said upon the floor, the Senator, as I understood him, said that the production of linoleum in this country amounted to \$20,000,000, or somewhere around that amount.

Mr. SMOOT. The production of linoleum amounts to 24,176,224 square yards.

Mr. SIMMONS. I simply wanted to call attention to the fact that the data contained in this book conformed to the statement—the revised and corrected statement—of the Senator from Utah.

Mr. SMOOT. I know it conforms to the statement, and I say that the figures in the handbook are wrong.

Mr. STONE. Does the Senator mean the statement he made was wrong?

Mr. SMOOT. No; the statement the handbook makes is wrong. I say that instead of the production of linoleum being 108,000,000 square yards it was but 24,176,224 square yards, and if the Senator will ascertain the amount of square yards of linoleum produced in the United States and add it to the amount of square yards of tablecloth produced in the United States he will find they both amount to 108,000,000 square yards as reported in the Democratic handbook.

Mr. SIMMONS. And not "dollars"?

Mr. SMOOT. And not "dollars"; but I can tell the Senator exactly what it would amount to in dollars.

Mr. SIMMONS. If the Senator from Utah had read the heading to that paper he would have seen that it covers linoleum, corticine, and other fabrics or coverings for floors.

Mr. SMOOT. For floors, yes; but tablecloths do not cover floors.

Mr. SIMMONS. It does not say that tablecloths cover floors.

Mr. SMOOT. Yes; but it takes tablecloth to make the yardage. And tablecloth is found in Schedule I instead of Schedule J. The book is wrong.

Mr. SIMMONS. There is where it ought to be.

Mr. SMOOT. I say so, too; but the book endeavors to put it in Schedule I.

Mr. GALLINGER. Mr. President, I have carefully refrained from discussing tariff matters during the consideration of the pending motion to refer the bill to the committee. I apprehend that we will have a good many weeks in which to discuss the bill after it comes from the committee, and so I have no disposition to take a single moment to-day in any observations on the general questions involved in the proposed legislation, but I was interested a little while ago in the statement made by the Senator from Georgia [Mr. SMITH] that the subcommittee of which he was the chairman was giving consideration—

Mr. SMITH of Georgia. I am not the chairman. The Senator from Maine [Mr. JOHNSON] is the chairman.

Mr. GALLINGER. But the Senator is a member of the subcommittee.

Mr. SMITH of Georgia. I am just one of the working members.

Mr. GALLINGER. As I was about to say, I was interested in the Senator's statement that the subcommittee of which the Senator is a member was giving consideration to the cotton schedule. My people are greatly interested in that schedule. I am gratified that the Senator has heard some representatives of the cotton mills in New Hampshire, and I am particularly gratified to learn, not from the Senator or his subcommittee, but from other sources, that at least one item in that bill is to be attended to in the way that the representatives of that great industry have requested. I hope that is true.

Now, Mr. President, what I desire to do at this time—

Mr. SMITH of Georgia. Mr. President, if the Senator will pardon me a moment.

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Georgia?

Mr. GALLINGER. Certainly.

Mr. SMITH of Georgia. I do not think the subcommittee has reached any final conclusion, but each member of it has talked with perfect freedom with everybody who came before them.

While I am on my feet, I should like just to take a moment of time to say that if any Senator on the other side, or on this side, has a constituent or constituents whom he wishes to bring or to send before either of the subcommittees we will be glad to have them come; we will give them a hearing, and if they want their statements reported, we will have a stenographer present and have them reported; and then, if the Senate approves, we will have them published whenever it is so desired.

Mr. GALLINGER. Mr. President, I have no doubt that is true, and I apprehend some of my constituents may present themselves before the subcommittee in due time.

The Senator from Georgia suggested that the subcommittee were giving particular consideration to the higher grades of cotton manufactured in New England, rather than to the coarser grades manufactured in the South. I want to call the Senator's attention to the fact that a good many of the coarser grades are produced in the North as well as in the South, and that even the manufacturers of the coarser grades are somewhat disturbed. For the purpose of showing that, Mr. President, I desire to have the Secretary read the telegram which I send to the desk from one of our large manufacturing concerns in New England.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[Telegram.]

CONCORD, N. H., April 30, 1913.

Senator JACOB H. GALLINGER,
Capitol, Washington, D. C.

DEAR SIR: We have been informed that the prevailing impression of people at Washington is that New England manufacturers are, as a whole, fairly well satisfied with the proposed new tariff. Such is not the case, for many are apprehensive of a serious loss in trade. We beg to call your attention to certain provisions of the tariff bill which are of vital importance to us. The lowering of the duties on manufactured goods injures all cotton mills in this State, which injury we share with other mills. The proposed duty upon dyestuffs will work additional harm to our business. Our mills, after a period of from 50 to 60 years running on print cloths and other coarse fabrics, have been thoroughly reconstructed, and due to changes in the condition of the cloth market are now making finer goods, such as striped shirtings and chambrays. We are specializing upon a fast-colored chambray which has met with the approval of the trade, since it is an excellent fabric and of medium price. Our colors are obtained from alizarin, alizarin, natural and artificial, and dyes derived from alizarin or from anthracene, which under the present tariff, paragraph 487, are free, but under paragraph 6 of the new tariff would be subject to 10 per cent ad valorem, or even 30 per cent ad valorem in European goods against which we compete. These colors are used very largely in Europe. Those colors are free, and if in addition to the reduction in the import duty on the finished goods we have to suffer a penalty of 30 per cent ad valorem on the dyes, our efforts to compete would be hopeless. We wish, if possible, the dyestuffs above referred to to remain on the free list, or if this is impossible to add "and dyes derived from alizarin and from anthracene" to paragraph 6. We respectfully urge you to give this matter your thoughtful attention.

HARRY J. RICKETSON,
Agent Suncook Mills.

Mr. GALLINGER. I also ask to have read a telegram from another large manufacturing concern in New Hampshire which manufactures cotton goods.

The VICE PRESIDENT. The Secretary will read as requested, in the absence of objection.

The Secretary read as follows:

[Telegram.]

NEW MARKET, N. H., May 1, 1913.

Senator J. H. GALLINGER,
United States Senate, Washington, D. C.:

Believe Underwood bill in present form extremely detrimental to interests of this corporation and of all cotton mills in New England.
NEW MARKET MANUFACTURING CO.,
GEORGE E. SPOFFORD, Agent.

Mr. GALLINGER. I also ask to have read another telegram from a large cotton mill in my State.

The VICE PRESIDENT. In the absence of objection, the Secretary will read, as requested.

The Secretary read as follows:

[Telegram.]

SOMERSWORTH, N. H., April 30, 1913.

Hon. JACOB H. GALLINGER,
United States Senate, Washington, D. C.:

The lack of protection on five-counts cotton goods will indirectly seriously affect the coarse-goods mills of New Hampshire. The prospect of such conditions is already throwing employees out of work in our plant. We believe the Underwood schedule should be modified.

GREAT FALLS MANUFACTURING CO.,
PHILIP H. STILES, Agent.

Mr. GALLINGER. Mr. President, I have had similar telegrams from other cotton-manufacturing concerns in my State. I remember two from the city of Nashua which I have mislaid. I simply put these in the RECORD for the purpose of getting them to the subcommittee for their consideration. I ask that they be referred to the Committee on Finance, and I trust that the Senator from Georgia, in the kindness of his heart, will take them under serious consideration, both as regards the duty on cotton cloth of the various kinds and also the matter of alizarin and other dyes in which our manufacturers are greatly interested.

Mr. SMITH of Georgia. I am glad to say to the Senator from New Hampshire that I have heard manufacturers from Massachusetts and New Hampshire and Maine and Connecticut and Rhode Island discuss these dyes, and, not speaking for the committee but for myself, I do not believe in putting a tax on them. I think they ought to remain on the free list.

Mr. GALLINGER. Mr. President, that information is extremely gratifying. I will simply add that I have received perhaps thousands of letters, certainly many hundreds of letters, and numerous telegrams from people in my State begging that public hearings may be given on this bill, which it will be readily understood affects their interests very materially; and I am hopeful that, when the vote is taken, the amendment proposing that the bill shall be referred to the committee and that public hearings shall be held will receive a majority vote of the Senate. Of course, if it does not, we will do the best we can with our Democratic friends, who, I apprehend, will listen patiently to us at least, whether they grant our requests or not. I will repeat that, so far as the discussion of the bill and its merits or demerits are concerned, I will patiently await the time when it can properly be discussed.

Mr. NEWLANDS and Mr. LODGE addressed the Chair.

The VICE PRESIDENT. The Senator from Nevada.

Mr. NEWLANDS. Mr. President, like the Senator from Wisconsin [Mr. LA FOLLETTE], I believe in public hearings—

Mr. LODGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Massachusetts?

Mr. GALLINGER. If the Senator from Nevada will permit me, I promised to yield for a moment to the Senator from Massachusetts [Mr. LODGE] before I took my seat.

Mr. NEWLANDS. My time has commenced, and I should like to go on.

Mr. LODGE. I merely wished to call attention to a report. I was not going to make a speech.

Mr. NEWLANDS. The Senator can have his own time, I imagine, to do that.

Mr. LODGE. The Senator from New Hampshire promised to yield to me, but the Senator from Nevada was recognized before the Senator from New Hampshire had an opportunity to do so.

Mr. NEWLANDS. If the Senator simply wishes to present a formal matter, I will yield.

Mr. LODGE. I shall get it in at some time.

Mr. NEWLANDS. Mr. President, like the Senator from Wisconsin [Mr. LA FOLLETTE], I believe in public hearings. I am opposed to proceedings behind closed doors. I do not believe for a moment that the Democratic Party contemplates the latter procedure, and for that we have the assurance of the Senator from North Carolina [Mr. SIMMONS], who proposes practically through the action of the committee to assure the collection of the information sought to be ascertained by the amendment of the Senator from Wisconsin. We must have party solidarity and we must have party action, and, so far as I am concerned, the Finance Committee has my confidence, and I propose to follow its lead with reference to the method of procedure, with confidence that it will meet the just expectations of the Senate regarding hearings. If, however, later I should find that it is not doing so, I will exercise my independent judgment with reference to its methods.

Mr. President, I wish to say a few words regarding the sugar question, which has been discussed here. I wish to clarify a

little the situation, for, unfortunately, we have drifted into a condition of excitement regarding it. What is the question? The question is whether at the end of three years, a temporary reduction being meanwhile made of about one-third in the tariff duty upon sugar, sugar shall drift entirely to the free list or whether it shall remain on the dutiable list but with a very large reduction of duty, such duty not exceeding the average of the duties now imposed by the Underwood bill upon articles on the dutiable list, namely, a duty of about 25 per cent. This question does not involve a duty that will be of advantage to the refiners, because the bill carries no differential duty on refined sugars, and the only question that is before this body is as to whether a reduction from the duty fixed by the Underwood bill at the end of three years to the free list will work a serious injury to the sugar industry, and whether or not a duty not greater than the average duties in the Underwood bill of 25 per cent shall remain upon sugar with a view of maintaining that industry as a live industry. The question is not whether we shall continue the Sugar Trust, or the benefit of the sugar refiners, or the advantages of the sugar factories, but the question is whether we shall, by fixing a moderate revenue duty, such as is imposed on other food and agricultural products, enable the cane and beet sugar production to continue. That is the only question.

We find that upon the various agricultural products which become part of the food of the Nation the Underwood bill imposes certain duties. It imposes duties upon wheat, upon oats, and upon other farm products—eggs, butter, and things of that kind. It is a duty, I believe, that is reduced, but still a duty of from 10 to 15 per cent. So the Underwood bill already provides for a moderate revenue duty upon articles of food constituting the necessities of life, and the question is whether the same treatment shall be accorded to another agricultural product, namely, cane and beets, from which sugar, an article of food, is produced.

We must consider this question not simply as a domestic question, but also as a question involving our insular possessions, involving Porto Rico, Hawaii, and the Philippine Islands, and also as involving Cuba, which, in a certain measure, is our ward, though not a part of our governmental or economic system.

Mr. SIMMONS. Mr. President—

Mr. NEWLANDS. I can not submit to any interruptions.

Mr. SIMMONS. I simply want to call the attention of the Senator to the fact that the bill does impose a duty on sugar beets.

Mr. NEWLANDS. Yes; upon beets though whose bulk prevents transportation and importation, but not upon sugar whose condensation in weight and value facilitates transportation and importation. Whoever heard of importing sugar beets? A duty on beets is worse than that other sham in this bill—a duty on wheat, no duty on flour.

How does this question involve the United States? First, it involves the admitted fact that the sugar industry in Louisiana will be absolutely destroyed by free sugar. Second, it involves the question of a serious crippling of the beet-sugar industry in the West, and its possible destruction. Third, it involves the question of the production of sugar in Hawaii, in the Philippine Islands, and in Porto Rico, in all of which the production has been largely stimulated by the admission of those countries within our tariff wall—so much so that estimating roughly the production of Porto Rico has increased from about 100,000 tons annually to nearly 500,000 tons; the production of Hawaii has increased from about 200,000 tons to about 500,000 tons; and the product of the Philippine Islands from about 50,000 tons to 200,000 tons; and since the Spanish War the production of Cuba, favored by a small reduction in our tariff duty of only 20 per cent, has increased from about 500,000 tons to 2,300,000 tons.

The consumption in this entire country is three and a half million tons. The United States proper and all of these islands combined, including Cuba, produce about 4,200,000 tons. So we can eliminate the entire world from our view, so far as sugar production is concerned, except our home region, our insular possessions, and the island of Cuba; and the question is whether we are going to sacrifice an industry in our own country which produces to-day, on our territory and soil, 1,000,000 tons, and in our insular possessions very nearly a million and a quarter tons, and give it absolutely over to Cuba, which has a capacity of production much in excess of the power of this country to absorb. For, recollect, Cuba is the nearest point of production; it is the cheapest point of production, surpassing in cheapness the production of the Philippine Islands, Hawaii, and Porto Rico. The freight is almost nothing. Its freight can be delivered for 10 cents a hundred pounds in New York; and when the Mississippi River is opened, as it will be, by an improved

waterway system, it can deliver its freight right in the center of our country, at St. Louis, for 20 cents a hundred pounds; and when the Panama Canal is finished it can deliver its freight to San Francisco as cheaply as Hawaii itself.

So we propose to surrender a production of approximately 4,000,000 tons of sugar, consumed by the American people, to an island not a part of our governmental and economic system, increasing the production there and diminishing and perhaps destroying our production here.

Admitting that in the vast enterprises and industries of this country that will not have an appreciable effect upon our prosperity what will be the effect upon our dependencies?

The VICE PRESIDENT. The 10 minutes of the Senator from Nevada are up.

[Mr. NEWLANDS continued his remarks after the disposition of the motion to refer the tariff bill to the Finance Committee, as follows:]

Mr. NEWLANDS. Mr. President, I also wish to supplement my remarks by a very few words regarding the democratization of the sugar industry.

Mr. KERN. Mr. President, I rise to a question of order.

Mr. NEWLANDS. I do not yield the floor, Mr. President.

The VICE PRESIDENT. The Senator from Indiana will state his point of order.

Mr. KERN. My point of order is that the Senate is operating under a unanimous-consent agreement which provided that immediately upon the vote being taken on the motion then pending the resolution in relation to the West Virginia coal-fields inquiry should be proceeded with as the unfinished business.

Mr. GALLINGER. It has been laid before the Senate.

Mr. KERN. And I am calling for the regular order.

Mr. NEWLANDS. I am not interfering at all with the unfinished business. It has been customary in the Senate to allow the widest range of debate upon every question, and I have never known that rule to be varied by calling any Member from the floor and prescribing to him a certain line of discussion. I repeat, I certainly am not interfering with the consideration of the resolution. My remarks will be brief, but I wish at this time to supplement something that I have already given expression to in the consideration of the question just disposed of.

I commented upon the fact, Mr. President, that the Democratic Party contemplates the democratization of the sugar industry. This tariff does not involve the question of a protective duty to the sugar refiner. It involves simply the question as to whether a moderate revenue duty not exceeding the average duty imposed by the Underwood bill shall be imposed upon sugar or whether sugar shall be put upon the free list, and I have yet to learn that it is undemocratic to argue the question as to whether an article shall be upon the free list or upon the dutiable list, where the duty is simply a revenue duty, and a moderate revenue duty at that.

I pointed out the fact, Mr. President, that our only rival in the production of sugar is Cuba. There are 18,000,000 tons of sugar annually produced in the world, one half of it beet sugar and the other half of it cane sugar. Every ton of beet sugar has been stimulated in production, either by a protective tariff duty or by a bounty. The result of the duties imposed by certain European countries, as well as our own, and of certain bounties paid for sugar production, has been that beet sugar has become the great rival of cane sugar, and that rivalry in the markets of the world has reduced the price of sugar from 10 cents a pound to from 4 to 5 cents a pound.

Now, the question is whether the Democratic Party is going to pursue a policy which may again raise the price of sugar by crippling the efficiency of beet sugar as a rival in the markets of the world. I have already shown that Cuba, since the Cuban War, has increased its production from 500,000 tons to 2,300,000 tons, and that during that time the entire continent of the United States, with its industry favored by a high protective duty, has increased its production through beet sugar less than 500,000 tons, and that during that very time Hawaii, inside of our tariff wall; the Philippine Islands, inside of our tariff wall; Porto Rico, inside of our tariff wall, and having the advantage over Cuba for a time of about 1½ cents a pound, and later on of 1¼ cents a pound, being the amount of the duty imposed upon Cuban importations—all of them combined have not increased the production as rapidly as has Cuba. It follows, therefore, conclusively that if Cuba, with a handicap during this entire period since the Cuban War of a duty imposed on its product of from 1½ cents a pound down to 1¼ cents a pound, has been able to increase its production more largely than the United States, Porto Rico, the Philippine Islands, and Hawaii combined, necessarily, when that handicap is removed,

Cuba will monopolize the production for the entire consumption of the United States, aggregating now three and a half million tons. Can anyone deny that reasoning, and are the American people prepared to face that fact?

Mr. President, we will assume that the United States can stand this, that Louisiana can turn her activities in other directions; that the great arid areas of the West, to which the production of the sugar beet has come as a special benefaction, can get along without the production of beets and can turn to other forms of production. The next question, then, is what will be the effect of our action upon our dependencies—the dependency of Porto Rico, the dependency of Hawaii, and the dependency of the Philippine Islands?

We acquired Hawaii as a part of our country just before the Spanish-American War. Her purpose in annexation was to get inside of our tariff wall and to relieve herself of the payment of a duty. In doing that she gained the advantage of adding to her price our tariff duty, but she suffered the disadvantage of coming under our industrial system, which meant a higher wage cost and a higher supply cost. She also had the disadvantage of absolutely surrendering to the Government of the United States the customs duties which she had been accustomed to collect, so that they form to-day a part of the national revenue and no part of the revenue of Hawaii.

During this time the production of Hawaii has been stimulated by the enhanced price which she has been able to get for her sugar. She not only availed herself of the ordinary production, but of stimulated production through irrigation, at an immense cost, and to-day she has a production of 500,000 tons annually, as against a previous production of 200,000 or 300,000 tons. Now, take down that tariff wall; put her upon an even basis with the island of Cuba—the Hawaiian Islands, 2,500 miles away from our Pacific coast and 6,000 miles away from the very center of our population, and Cuba at our very doors; the Hawaiian Islands, with a stimulated production, a costly, intensive production produced by irrigation, an expensive wage system, an increased cost system for its supplies, because she is within our protective tariff wall and compelled to pay protective prices for everything that she buys; deprived of the opportunity to get her labor in the markets of the world, deprived of the opportunity of getting her supplies in the markets of the world, with a natural production inferior to that of Cuba, enjoying not the same advantages either of soil or of climate, and what will become of the Hawaiian Islands production when Cuba, relieved of the necessity of paying 1½ cents tax upon its product, increases her annual production 500,000 tons more? What will then become of the Hawaiian Islands? To what industry can those islands turn? They have tried coffee and failed; they have stimulated the production of pineapples, and they get a small revenue from that industry; but can you point out any other production that the Hawaiian Islands are capable of? There is Cuba, with a richer soil, a better climate, a lower wage cost, a lower supply cost, and a lower freight cost, at the very door of the center of population of this country.

Then, recollect that the Hawaiian Islands will be less fortunate through annexation than by reason of a separate existence, for the very revenues of the customhouse that used to be in the possession of the islands themselves are now turned over to the Federal Treasury. They used to be able to go to China for their laborers. They are now prevented from doing so by our restrictive laws. They used to go to Japan for their laborers. Our Government, when it made its treaty with Japan, exacted the stipulation from the Japanese Government that it would restrict the immigration of its people to our territory.

Where will Hawaii look for the cheaper labor, which she will have to secure in order to compete with Cuba—Cuba, which has access to the markets of the world for its labor; Cuba, which has access to the markets of the world for its supplies; Cuba, having the advantage of its own revenue and customs duties to apply to its own development, and Hawaii deprived of them?

So it is with Porto Rico. Porto Rico is a little island, 100 miles long and 30 miles wide, with a population of 1,000,000, the most densely populated country—I was about to say in the world—with no capacity for an increase of its population by reason of its limited area as compared with Cuba, which at the time of the Cuban War had only 500,000 people in excess of Porto Rico, and has an area capable of supporting 15,000,000 people.

Porto Rico, starting at the Cuban War with only 50,000 or 75,000 tons and its production now stimulated to 500,000 tons—where will Porto Rico stand when Cuba, producing its sugar upon the most fertile soil, in the best climate, and at the lowest wage cost, starts out to absorb the production which Porto Rico has thus far yielded and starts out in the race against Porto Rico rid of the present handicap of 1½ cents a pound—\$30 a

ton—notwithstanding which it has been able since the Spanish War to increase its production from 500,000 tons to 2,300,000 tons?

Then, we have the Philippine Islands, those unfortunate waifs in the ocean that we took under our protection and care. As a matter of mistaken generosity what did we do? Instead of assuring to those islands an isolated existence, with their entire economic and governmental system separated from our own, so that at the right time we could simply cut the tie that bound those islands to ourselves and start them on their career of individualized life, we thought we were doing them a favor by taking them within our protective-tariff system, and we gave them, as the result of successive legislation, the right to import into this country 300,000 tons of sugar duty free; and the bill which we have before us proposes to allow them to import without any limitation whatsoever. What was the effect? The effect was to relieve the sugar producer from the duty of 1½ cents a pound which he was compelled to pay to the United States prior to that time. Taken inside of our tariff walls by this reciprocal arrangement, they were relieved of that duty and immediately the production of sugar started, and they now have a production of 200,000 tons in the Philippine Islands as against 50,000 or 60,000 tons prevailing before this action.

The Democratic Party proposes to dispose of the Philippine Islands, ultimately to cut off these islands, and then to start them in an individualized life. Have we been generous to them to accustom them to a hothouse system of a protective tariff during these years, when the very process of cutting them off involves the destruction of the hothouse methods?

The Philippine Islands will then drift into their individual life, compelled to compete not under favored laws with this country but with the entire world—a competition which they were not able to bear before their annexation to this country.

So we will have precipitated upon us the economic distress of the Hawaiian Islands, of Porto Rico, and of the Philippine Islands just as soon as we declare that no duties whatever shall be imposed upon foreign imports of sugar, that the duty now paid upon sugar by Cuban producers shall be taken away, and that Cuban sugar shall have the absolute control of our markets; and we can then have the comforting assurance that the American Sugar Trust, against which so much of our legislation and litigation has been directed, is again triumphant, for it and its stockholders, now owning the most prosperous sugar plantations of Cuba and bound to acquire more, will not only refine but will also produce almost all the sugar consumed in the United States.

Mr. President, I can recall the time when the Cuban reciprocity treaty was up before Congress. I was then a member of the Ways and Means Committee of the House; and against the views entertained by my party generally, I opposed Cuban reciprocity. I insisted that what we needed with Cuba was not a commercial union but a political union. I insisted that if we waited long enough not only political but economic necessity would drive Cuba to seek admission to our Union. I desired the accession of an island not overpopulated like Porto Rico, not overpopulated like the Philippine Islands, but an island with a population of only a million and a half and a capacity of 15,000,000—an island which the white race would have dominated and regenerated and made one of the choicest parts of our territory. But we were disposed to be generous, and we were also a little bit calculating as a result of the pressure of the manufacturers, who were willing to let in Cuban sugar at a reduced duty if Cuba would let in American manufactures at a reduced duty.

So the reciprocity arrangement went through with the consent of both parties. I am glad to say that I had no share in that folly. I believe if we had stood out and had said to Cuba, "We have given you your liberty; we have given you individuality; you are now a sovereign State, and you must get along as you can in your rivalries and your commercial contentions with the world," that was all that Cuba had the right to demand, and that to yield to her request for a favored duty was a weakness approaching folly. I believe if we had waited Cuba would have been driven by economic necessity to ask annexation to this country, and ultimately we could have made out of Cuba what we can never make out of any other of our island possessions—a sovereign State of the Union.

Now, what is the situation? It is proposed now to give away to Cuba all this duty. You propose to make her sugar duty free and at the same time permit her to maintain her tariff wall against American products. You had a reciprocal arrangement by which her sugar came in with the reduced duty and our products went into Cuba under a reduced duty. You now take away all of the duty imposed upon her products and let her tariff wall stand as against all of our products. We have

no reason, then, to ask for any reciprocal arrangement. She can immediately denounce that reciprocal treaty and impose upon all the products of the United States going into Cuba the same duties that she imposes upon other countries; and we will give away that great commercial advantage to a country which is indebted to us beyond expression for the sacrifice of blood and treasure in the securing and the maintenance of her liberty.

Mr. President, is it not time to think instead of to declaim? Is it not about time, first, that we should clear the atmosphere and ascertain what the Democratic Party proposes to do? From the speeches one hears upon this subject you might conclude that there were only two alternatives—one, the maintenance of the present high protective and oppressive duties upon sugar; the other, free sugar.

No one contemplates the maintenance of the present high protective tariff upon sugar. No one contemplates any protection whatever to the refiners of sugar. No one contemplates any advantage whatever to the sugar refiners, to the Sugar Trusts, which thus far have been the objects of execration.

What is contemplated? Why, an immediate reduction, with the approval of the President, of this duty from 1.34 cents on the pound to 1 cent a pound for three years, a duty of about 50 per cent. Then the other question to be determined is, after that three years, whether that duty shall sink to the level of the general percentage of duties imposed by the Underwood bill upon all dutiable articles, viz, 25 per cent—one-half cent per pound—or whether it shall drift to the free list; that is all.

Mr. President, the country which I represent is an arid region, called "The Great American Desert"—a country which some years ago was regarded as almost uninhabitable, but which, through the genius and energy of man, has been made the most favored part of this country for his residence. Private enterprise has constructed there great irrigation works, by means of which the snow waters falling upon the mountains have been spread over the arid plains and have increased the production of a fertile soil under the influence of a kindly sun. The Government itself has supplemented the work of private capital by devoting the proceeds of the sale of public lands to great reclamation works in 17 States, 23 projects rivaling in engineering difficulties the great work of the Panama Canal, and upon which \$75,000,000 have been expended, the moneys to be returned by the settlers upon the arid lands in 10 annual installments as payment for their water rights. Thus a great revolving fund has been created, which involves the spending of the moneys on the lands, their return through the sale of water rights, and their expenditure again upon new lands, so that ultimately this fund will reclaim all of that desert that is capable of reclamation.

The Government realized the importance of fitting that great desert for the habitation of man. Private enterprise recognized it as a great outlet for a teeming population that is spreading out more rapidly every day toward the West. The population is as yet limited. Their productions are mainly the productions of the mine, the forest, and the farm. The productions of the forest and the farm are not able to pay for long and distant carriage the freights that are usually exacted and the local population is unable and insufficient to absorb the supply. The products of the soil are bulky—alfalfa, hay, and other products of that kind. They found at last one product, the sugar beet, the whole value of which can be compressed into one-sixth of its weight. The whole value of a ton of sugar beets can be compressed into raw sugar of a weight of 300 pounds, and thus it will bear transportation; and that 300 pounds is a product in universal demand all over the world, which commands a cash price everywhere.

Encouraged by the Government, encouraged by your Agricultural Department, the people of that region have during the last 8 or 10 years started upon the production of sugar beets, involving concurrently large capitalization in factories to slice the beets, extract the sugar, and put it upon the market.

During this time there have been varying conditions as to possible legislation that tended to retard the growth of this costly industry, and yet it has advanced. It has the advantage not only of producing a product which can be compressed into one-sixth of the weight of the beets themselves, but of inducing an intensive cultivation, a rotation of crops, that vastly stimulates the production of the soil. It is to the cultivation of the beet that Germany and France and Austria owe more of their agricultural development than any other thing, and we all know that their production per acre far surpasses our own because of the perfection of their scientific methods.

So we of the West have been hoping that this industry would advance without being crippled in its infancy, though we have not been contentious for high rates of duty. Some of our people

have contended for those, but I never have. But we have been insisting that if there was any incidental protection in a tariff for revenue, that incidental protection should reach to the farmer of the arid region as well as to the farmer of the South and of the Middle West.

We find almost all these agricultural products of the Middle West put by this bill upon the dutiable list, and the farm products of the arid West put upon the free list. We inquire the reason, and we ascertain that the Democratic Party was afraid of the farmers' vote.

The Republican Party has fastened its oppressive and outrageous system of protection upon the country how? By creating a community of interest between the manufacturers on the one hand and the cattle growers and the sheep growers and the farmers upon the other. They have deluded the exporting farmers of the country by making them believe that a duty imposed upon the nonexistent imports of farm products really protected them; and the Democratic Party in this bill is guilty of continuing that deception, and continuing it to the farmers of the Middle West and the South, while they deny a tariff which does involve an incidental protection to a struggling and an infant industry in the far West.

My contention is not made upon any protective principle. I have seen enough of a protective tariff. I have been in Congress for 20 years, and have witnessed three or four revisions of the tariff. I have seen the interested parties come here time after time and press their claims. I have seen organizations made, unions made, communities of interest established, by which oppressive rates have been maintained. God knows I do not wish the perpetuation or the maintenance of any such system. But I do insist that a Democrat can still stand for a tariff for revenue; that the Democratic Party has never yet declared itself to be a free-trade party; that its traditions all lie not in the line of a large free list, but of a large but moderate dutiable list. You will find that the enlargement of the free list has been the action of the Republican Party, determined to diminish the area of duties in order that it might increase the magnitude of the duties.

So this free-list policy is not in accord with the history or the traditions of the Democratic Party. It is in absolute accord with the policy and the traditions of the Republican Party, which, in order to maintain high duties upon a few favored articles, put other articles upon the free list lest duties imposed upon them might reduce the general level of duties.

Mr. President, my view of an ideal revision of the tariff is one that will involve a gradual cutting off of the high duties and a gradual reduction of existing duties to a level of about 25 per cent and a gradual imposition of duties commencing at 1 per cent and ending at 5 or 10 per cent upon the articles that are now on the free list. If we would pursue such a policy as that we would have ample revenue, we would have moderate duties, and we would have exceedingly low duties upon the necessities of life.

Mr. President, we are met by the statement that this question has been practically decided, that the President and the House have practically agreed upon the tariff bill, and that it is incumbent upon all good Democrats to support the bill either as an administration or as a party measure. I am sure that that view can not be entertained either by the House of Representatives or by the President. I have seen nothing whatever in the words or in the actions of the President, with whom I have come in communication upon this subject, that would warrant me in believing that he regards the duty of tariff making as already accomplished. President Wilson throughout the interviews in which I have participated has been considerate and dignified, and has never assumed such a position as the newspapers would have us believe he is assuming.

Nor do I believe the House entertains such a view. It is preposterous that anyone should entertain such a view. There are three factors in tariff making, and when I speak of tariff making I mean making a Democratic tariff. The Democrats of the House, the Democrats of the Senate, and a Democratic President. The President has the power of initiative by recommendation, and he has also the power of veto. So far as I am concerned I have always welcomed him cordially into our councils. I have not been one of those who believed that the President should wait until Congress has acted and should then simply exercise his power either of approval or veto. I believe that through his power of recommendation and of veto he is a part of the legislative organization, and that we, as Democrats, both in the House and the Senate, ought to take him into our councils regarding a Democratic measure.

But surely the President will also cheerfully concede that he is not the only factor, that the Democrats of the House with him do not constitute the only factors, but that the Democrats

of the Senate are called upon by the obligation of their office to discharge their full duty.

The President of the United States is the choice of a popular election, and therefore perhaps represents the whole people more than anyone else. The House as the popular body represents the people of the United States in their respective districts. They represent districts, not the entire people. The Senators are ambassadors of the States, and for the first time, then, the action of States as political units upon matters of legislation is taken. They are the special guardians against either sectional or regional injustice.

Beyond the Missouri there lie 17 States, one-third of all the States in the Union, each one a sovereign State with two Senators in this body. They are entitled to represent those States. They are entitled to present their protests against sectional or regional injustice. They are entitled to demand that the Democratic Party shall not maintain and preserve a protective system in the East and in the Middle West and at the same time in the far West apply a free-trade system, compelling them to produce in a free-trade market and to buy in a protected market. The West has something to say regarding this tariff, and its voice will be heard despite the clamor of the hour.

Mr. President, I will not go into details as to the discriminatory action of this tariff regarding western products. All I can say is that almost everything that is produced there has either been put upon the free list or has been drifted toward the free list, whilst upon eastern and middle western products an average duty of 25 per cent still stands. I do not complain of the latter; I think the Democratic Party has gone far enough in reducing the average of the duties upon the dutiable list from 40 per cent to 25 per cent; but I contend that it goes too far when it reduces duties from an average of 40 per cent to zero, and that, too, upon products belonging to a particular section.

But it is said that sugar and wool are hothouse industries; that hothouse methods have been adopted for years; that the wool industry has not grown; that hothouse methods have been pursued for years and the sugar industry has not grown as rapidly as might be expected; and there is much declamation against hothouse methods.

Well, Mr. President, as between that and a reduction upon a product that is indigenous to the soil, that belongs to our country, with reference to which no protection either intended or incidental is needed, I should say it is much less unjust to take the duty entirely off of the latter product than it is to take the entire duty off a stimulated product, a hothouse product, for if sugar production is a hothouse production it is the result of the settled policy of both the Democratic and the Republican Parties for a hundred years, a policy for which neither party is exclusively responsible, and only varied from once in that whole period, and that not by the Democratic Party, but by the Republican Party, which, in the McKinley tariff, substituted a bounty by way of protection for a duty.

Mr. President, it is the hothouse industry which has been pursued pursuant to law, encouraged by law, encouraged by the settled policy of the country, that should be gently treated when you are reducing the tariff, and it was with reference to just such industries that the Democratic platform declared that the tariff had been inseparably associated with the business of the country, and that therefore reduction should be made in such a way as not to destroy or injure any legitimate industry.

So if sugar and wool are hothouse industries, as it is claimed, it is all the more incumbent upon the Democratic Party under its platform to treat them gently—not to take away all the heat, so that the destruction of life may come, but to gradually reduce the heat, so that they may become accustomed to a normal temperature and may live in it.

The Democratic Party made no war upon hothouse industries. On the contrary, it expressly declared in terms of tenderness that the reductions upon such industries should be made in such a way as not to imperil or destroy them.

Now, Mr. President, I wish to say one word regarding the political aspects of this question. The Democratic Party, after years of effort, has come into power as the minority party—a plurality party. Had the forces of the stand-pat Republicans and the Progressive Party been united in the last campaign the Democratic Party would have been defeated. In that campaign there were four parties—the Socialist Party, the Progressive Party, the Republican Party, and the Democratic Party—and of all those parties the Democratic Party alone declared for a tariff for revenue. Vicious as I regard the protective system and harmful as I regard that system to the country, there can be no question from the party votes and the party platforms that the tariff-for-revenue policy is not the most popular policy in this country. All the country declared for was a material reduction in the tariff. The West stood for that policy, and it

stood against the exactions and the oppressions of the Republican Party. As the result of that propaganda, declared by the Democratic Party, the region west of the Missouri, which a few years ago only had one Democratic Senator, swept into the Democratic ranks 14 Democratic Senators.

The Democratic Party has much to accomplish. It will take many years to accomplish what it has before it. Eight years of control at least are essential to put upon the statute books and in administration the reforms that it contemplates. The loss of four Senators from the region west of the Missouri would turn the Senate over to the control of our opponents, and Democratic opportunity would be gone for years. We have to-day an overwhelming majority in the House of Representatives, but if you scan the returns you will see how narrow the margin was in many cases—pluralities, and small pluralities at that. Let this country drift during the next year into a period of depression and the great masses of the people will take their revenge upon the party in power. The voters are not all economists. They simply feel results. They do not reason out what causes the results, and they vote according to the results.

It is for this reason that I have been so anxious, radical as I am in my views regarding the tariff, that the Democratic Party should proceed slowly upon the line of reform, without violent readjustments that would disturb the times and put men out of employment and turn against the party vast masses of voters at the coming election.

The mission of the Democratic Party is a glorious mission. It would be the height of folly to impede and to obstruct that issue by precipitate and disastrous action upon matters of mere detail. With so many great questions of principle before the country, shall we exalt the question as to whether two products shall be upon the free list or shall have the average duty imposed upon them, to the position of a great issue presented to the American people—one involving morality and justice and political loyalty?

Mr. President, I feel sure that the Democratic Party will think; I feel sure that the three factors which shape legislation that is of so much importance to this party in the near future will see to it that by mutual consideration and by mutual concession a line of policy may be adopted not prejudicial to the traditions of the party, but in line with those traditions, that will bring in loyal adherence to the party every Democrat who voted with it at the last election; that there will be no heart-burnings, no feelings of sectional or regional injustice, no complaint of discrimination; that, having a radical end in view, we shall advance to that end by gradual, not revolutionary, methods, always having the goal in view, and determined to permit nothing to swerve us from finally reaching it.

I can imagine no greater misfortune to the party, I can imagine no greater misfortune that could occur to the country, than the temporary loss of power by the Democratic Party, either in the other House or in the Senate. As a representative of one of the sovereign States of the Union, I beseech my fellow Democrats to give that region no reason to feel that it is the victim either of discrimination or of injustice. Many loyal Democrats out there may wish on the whole more radical action to be taken than that which we at present contemplate; but though they desire more radical action, they will resent discriminatory action; and this danger is one that is to be considered and met.

Mr. President, I have spoken at considerable length upon this question, but I have not attempted to go into details regarding western products. All I ask is that the Finance Committee shall, regardless of the fact that the other House and the President have come to some conclusions regarding this bill, examine it on their oaths as representatives of sovereign States and see to it, in the only body in which sectional injustice can be guarded against, that loyal Democrats all over the country have no reason to complain of the justice of their party.

Mr. JONES. Mr. President, I had intended to vote against the motion of the Senator from Pennsylvania [Mr. PENROSE] to refer this bill to the Finance Committee with instructions to hold public hearings. I had not considered it necessary to hold hearings. I had thought that the theory upon which the bill was framed did not require any action of that kind, and that we had abundant testimony taken a short time ago to give all the information necessary to act on a bill framed upon the theory of this bill. I was prepared to state my reasons for the vote I had intended to cast; but the Senator from North Carolina [Mr. SIMMONS] has practically stated that the committee has decided to hold hearings of a certain character; that it has decided to call upon those representing the industries of the country for certain information.

I believe, as the Senator from Wisconsin [Mr. LA FOLLETTE] has stated, that whatever hearings are held should be public

hearings, and that when the committee seeks information from individuals it should have those individuals before it, so that it may cross-examine them. By reason of that fact, and the fact that the committee does consider it necessary to ask for and seek additional information, I propose to vote for the motion.

Mr. SIMMONS. Mr. President, I wish to correct the Senator. I presume he was referring to what the Senator from Georgia [Mr. SMITH] said and not to what I said.

Mr. JONES. No; I referred to the statement made by the Senator that the committee had decided to send the interrogatories submitted by the Senator from Wisconsin to those representing different industries and to call upon them for information.

Mr. SIMMONS. And ask them to answer those questions under oath.

Mr. JONES. Yes. My point is that if the committee thinks it is necessary to secure that information it should call those individuals before it so that they can be cross-examined and all the testimony they may give can be brought to the attention of the committee.

Mr. SIMMONS. I desire to say to the Senator that, as I understand, all of the witnesses who were examined before the House Committee on Ways and Means were examined under oath; but the Senator from Wisconsin suggested certain questions which might throw light upon the subject, and I thought, to meet his suggestion, that it would be just as well to send those questions to them and let them answer them as they might see proper.

Mr. JONES. I understand all that; but because of the fact that the House had held hearings, such as they were, before a part of the membership of the committee and because of the previous hearings, I had decided to vote against this motion. However, when the Senator stated, in effect, that the committee felt they ought to have some additional information and that they were going to send these interrogatories out, it seemed to me that it would be almost a farce to have these people send in written answers to these interrogatories, giving just what information they felt free to give and going no further than seemed to them necessary to sustain their contentions. It appeared to me that it would be better for the Senate and the Finance Committee that they should hold hearings, where these people could be cross-examined.

Mr. WALSH obtained the floor.

Mr. STONE. Mr. President, I ask the Senator to yield to me, not to enable me to make a speech or to read anything, but to send up a page or two of remarks made by Senator Aldrich in 1909, touching the very subject matter we are discussing, which I should like to have inserted in the RECORD at this point without reading it.

Mr. SMOOT. Mr. President, would the Senator object if I had the remarks of Senator Daniel, of Virginia, inserted following that?

Mr. STONE. I would not.

Mr. SMOOT. Then, Mr. President, I ask that the remarks of Senator Daniel be inserted to follow those of Senator Aldrich.

The VICE PRESIDENT. Without objection, the matter will be printed in the RECORD, as requested.

The matter submitted by Mr. STONE is as follows:

[In the Senate, Apr. 1, 1909. Page 721, RECORD.]

Mr. ALDRICH. The Republican majority of Congress will be properly held responsible to the people of the country for the character of the tariff legislation which is to be enacted at this session, and they also will be responsible, in my judgment, to an equal if not a greater extent for any failure to act promptly upon this important subject. In a government of parties the responsibility of the party in power for legislation can not be evaded or avoided, and there is no disposition, so far as I know, on the part of any representative of the Republican Party in this Chamber to avoid or evade this responsibility. I have recollection and personal knowledge with reference to the preparation and discussion and disposition of eight different tariff bills—four Democratic and four Republican. In the preparation of each of these bills on the part of the committee of the House of Representatives the work was done by the majority members of the Committee on Ways and Means, without the assent or approval or without a conference with the Republican members of the committee in the case of Democratic measures and without conference with the Democratic members in the case of Republican bills. When the House bills reached this body a similar course was pursued here. The amendments to be recommended by the Finance Committee in each case were agreed to or prepared by majority members of that committee, without conference with the minority members. They were usually prepared by a subcommittee of the majority, who reported to their associates, then to the full committee, and afterwards to the Senate. It will be evident upon the merest examination that this course is absolutely necessary in a country which has a government by parties. A similar course is followed in every country of the world that has a representative government by parties.

(Referring to the Wilson-Gorman bill, Mr. Aldrich said:)

It came to this body and was sent to the Committee on Finance, of which I was then a member. That committee was presided over by the distinguished Senator from Indiana, Mr. Voorhees. At that time at no point in the consideration of the bill was any Republican ever asked his opinion as to what should be done, and there was no meeting of the majority of the committee at which it was suggested that any Republican should be present, and no Republican was ever called into conference.

I will confess that for myself I should have as soon thought of going to Mr. Voorhees and insisting that I should be invited to his house to dinner as that I should have insisted that I had a right to go before the members of the committee and hear the statements of the men whom I knew were before the members of that committee every day.

Mr. DANIEL. Are there private conversations recited in the testimony delivered before the members of the committee, or is it public testimony, to be spread before the country?

Mr. ALDRICH. I am trying to call the attention of the Senate to the practices of the past.

Mr. DANIEL. I understand. For gentlemen to go off and confer is a privilege which is permissible in every country in the world.

Mr. ALDRICH. These gentlemen were having private conversations, if you please, for the purpose of eliciting information as to the character of the bill they were preparing to present to this body, as they had a perfect right to do. It is a recognized right in tariff legislation, and has been for half a century, and it will be, in my judgment, until the end of time.

Mr. ALDRICH. The minority of the committee are holding meetings of their own. We do not ask who goes before them. We do not ask to go before them and cross-examine their witnesses. I am seeing personally 100 men a day, so far as I have time, my time being taken up with this matter 18 hours out of the 24. Does the Senator from Georgia think I ought to look him up every time a man comes to me for a conversation, in order that he may cross-examine the man to find out whether he thinks the information is valuable?

Mr. BACON. My contention is that the majority members of the Committee on Finance practically determine whether or not there shall be a hearing. They have determined that there shall be no hearing.

Mr. ALDRICH. No public hearing. Mr. BACON. They have had a hearing by the committee and have excluded the Democratic members from participation in it.

Mr. ALDRICH. The Senator from Georgia is neither brief nor informed in that statement. No such condition has arisen and no such condition is likely to arise. The committee announced publicly and privately that they would not give any public hearings. There have been none. There have been no hearings of any kind technically by any members of that committee. I have had conversations, and various other members of the committee have had conversations, for the purpose of eliciting information that would help us in the great work which has been devolved upon the members of that committee. If we should undertake to follow the suggestions of the Senator from Georgia, we could not pass a tariff bill for the next three years.

The suggestion that all the precedents in reference to this matter should be disregarded and that the members of the minority should be present for purposes of cross-examination at every conversation held by the majority of the committee with the people who are supposed to have, or do have, information is absurd.

Mr. DANIEL. What is the objection to Democrats being present and hearing a recital of those important facts?

Mr. ALDRICH. Because the responsibility is upon us and we desire to pass a tariff bill in this year of our Lord.

The matter submitted by Mr. SMOOT is as follows:

DEMOCRATS EXCLUDED FROM COMMITTEE MEETINGS.

Mr. DANIEL. This, Mr. President, is a prodigious bill. It contains 302 pages and carries about a million dollars a page.

The Democratic Members of this body never saw it or heard it read, for it was not read at the one meeting of the Finance Committee which they attended. It was not brought here until April 12, when it was reported by the chairman of the Finance Committee with over 300 amendments. None of these amendments were permitted to see before they were presented here, and not one of them did we have the opportunity to vote upon before they were brought here with the committee's approbation. Many witnesses appeared, as stated, before the Senate Finance Committee. We heard not one of them. Not one of them were we permitted to cross-examine. There were some of them, if the press be correct, whom I should like very much to have had the opportunity to cross-examine. I should like to have asked some of them, especially those interested in iron and steel, why one of the committee, after their departure, put a duty on sulphate of ammonia, which is the food for the plants of this country, and is a specific burden upon all our farmers. But it was a closed shop.

I can not regard the method pursued as either good or fair government. Each one of us has at home constituents who are as much interested as any other constituent body of any Senator. Besides, we are all Americans. We are all as anxious for justice to be done to all of our country as any of those who assume the prerogative of excluding us from the opportunities of which they avail themselves most elaborately. It is a disadvantage to the whole public, for, having the desire to do the right thing and, so far as we may, the wise thing, we not only wish but need all the light that can be found upon these important matters to guide us through these labyrinthian schedules. The indignity of such a course is toward the people of the United States. It is also toward the Senate of the United States. We have the honor to be Members of the only body in this country where there remains free debate and where the Members in their rules and in their conduct have in nothing more distinguished themselves in the minds of the American people than by creating the reputation that here everybody would be heard. We must be heard in committee as well as upon the floor, and the invitation of our colleagues for light in all things except in their exclusive conduct, that we could go into the Senate and thrash these things out, is an invitation which we are forced to accept from having been denied a share in their councils.

The organization of the House of Representatives as an American institution does not permit any kind of free range to the Members, as of old was the custom of the fathers of this country and of their descendants for many generations. It is not permitted in that body for a Member to offer an amendment to a bill levying upon his constituents with others \$300,000,000, and to ask and get a vote upon it. I shall not forget the proper rule of the Senate that one House must not indulge in disrespectful allusions to another. But the facts of the organization of each House are upon an open page of American history, and I may advert to the existence of those facts and admonish and advise my people as to what their Representatives have to encounter under this free Constitution of the United States.

I introduce a witness from that House. He is the chairman, or was the chairman at one time, of the Democratic organization there—the Hon. CHAMP CLARK, of Missouri. This is what he has to say as to conditions in that body:

"The Democratic Members did as much work during the 'hearings' as did the Republican Members, and were as patriotic and conscientious as they. In such a joint labor nobody would have placed in the bill all he wanted. Nor is it at all probable that even a single Republican member of the committee or of the House is entirely satisfied with the Payne bill as reported, to say nothing of the Democratic Members. In such a joint labor there could have been no danger of our outvoting them. If the whole committee could have united on a bill, either in whole or in part, under the peculiar circumstances in which we find ourselves, it would have greatly expedited the passage of the bill, thereby relieving the country of the long and wearisome weeks, perhaps months, of business uncertainty and suspense. If there is delay in the passage of the bill and business stagnates by reason thereof and financial loss results from it, let the blame be placed where it properly belongs, upon the head of the Republican Party.

"Having spent nearly three months in framing their bill, they graciously called in the Democratic Members, and in precisely 12 minutes reported it back to the House without one moment's discussion, without changing a word, without even reading the title—an astounding demonstration of the fact that we live in a fast age and are traveling at a rapid gait.

"This happened on March 18, and no member of the minority had ever seen the bill or any paragraph thereof till noon on Wednesday, the 17th of March, and had not the remotest idea of its provisions except by the merest guesswork. In fact, it was currently reported in the public press that so fearful were the Republican Members that the Democratic Members or some other American citizen might secure some knowledge of the contents of the Payne bill that its authors not only kept it under lock and key, but employed armed guards to keep watch and ward over their precious bantling—an absolutely superfluous performance, as many parts of it are utterly incomprehensible even after careful study. And yet this bill, which was too sacred for any eyes except the 12 majority Members and a few of their trusted friends, contains 234 large pages and deals with tariff taxes on about 4,000 articles of everyday consumption, influencing the interests, prosperity, and happiness of 90,000,000 American citizens and involving our trade relations with the whole world. We have had only five days in which to consider and report upon a bill which they spent nearly three months in preparing."

No gentleman ever cares for the association of other gentlemen when his presence is not welcome. There is not a man in this House, I am sure, who would ever obtrude himself upon any assemblage. We are neither so vain nor so unreasonable as to conceive that the exclusion in this body or in the other had any application to the personality excluded. For what reason that can be proclaimed did the Senate committee exclude its Democratic confrères from holding meetings with that body? It was not from any disrespect of them. It was not that they do not practice the amenities, the civilities, and the proprieties of life in all companionship. What could it have been done for—that they wished to derive some information that they did not wish to impart to others? But I will not probe the matter further. It was certainly not for the convenience of this body. It may have served for the nonce the convenience of some of those members; but I can not think that those gentlemen would appropriate and monopolize to themselves for their own sake conveniences and benefits that they would not readily share with their colleagues, whether Democratic, Republican, or what not.

Therefore it is impossible to conceive of any motive save of some advantage to be gained, either in debate upon this subject or in its result, and, as I am no further concerned with it, I leave it as it stands, but commend the matter to the consideration of a body which was planned by the Constitution of this country to extend equality to every Member, which made that equality basic in the organic law. That equality sends here from New England 12 Senators to exercise properly those conferred faculties. They would not possess them in proportion to inhabitants, but do rightly possess and energetically employ them. These facts should remind them, while in the enjoyment of their privileges, that a Senator in this body from the smallest State, whether in territory, whether in wealth, or whether in political influence or not, whether in the fashion of the times or not, has exactly the same right that any other and every other Senator has. When any one of those Senators takes away from me or my people or from any other Senator in this body the right of equal communication, of equal opportunity, and of equality in all respects which belongs to the positions which we occupy, it is a thing that should receive proper notice.

Mr. CULBERSON, Mr. President—

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Texas?

Mr. DANIEL. With pleasure.

Mr. CULBERSON. I do not think the proposition of the Senator from Virginia needs any support in authority, strong as it is in itself, and yet if he will permit me I will read a short paragraph from Jefferson's Manual, which is published by the Senate as a part of its rules:

"A committee meet when and where they please, if the House has not ordered time and place for them, but they can only act when together, and not by separate consultation and consent—nothing being the report of the committee but what has been agreed to in committee actually assembled."

Mr. DANIEL. Mr. President, I thank the Senator from Texas for reading so apposite an illustration and declaration of the law of the matter to which I have referred. But, Mr. President, the average American has studied, and if not studied has observed by instinct, the fundamental principles of fair play and square deal. We need not go to any law book to find the vindication of my assertion. It is instinctive to the American man, and I leave it to his contemplation. (CONGRESSIONAL RECORD, proceedings of Apr. 19, 1909.)

Mr. WALSH. Mr. President, I desire to address myself for a few moments to the question before the Senate, the amendment offered by the distinguished Senator from Wisconsin [Mr. LA FOLLETTE].

The agitation to which the present measure has given rise, as has been the case in nearly every general revision of the tariff in a generation, has centered about the two commodities of wool and sugar—coincidentally enough, two of the leading industries of the great State which I have the honor in part to represent. Down to the present time the people of my State have done me

the honor, apparently, to believe that as the occasion should arise I would exercise a reasonably sound judgment in the disposition of questions that come before the Senate for consideration, and have not aided me nor troubled me with advice upon them. I am now, however, in connection with the matter before the Senate, the recipient of a large number of telegrams asking me to vote in favor of public hearings before the Finance Committee. Most of these come from people interested in the production of sugar, and in my lack of acquaintance with the procedure in those matters I am led to believe that they come to me as the result of a campaign inaugurated by some one to that end. I am entirely confident that most of these come from people genuinely concerned, and perhaps more or less apprehensive, about the action of this body with reference to the pending measure, who are entirely ignorant of what has transpired in reference to the collation of information upon that subject.

So I take the time of the Senate to say that I have now on my desk before me the report of the Hardwick Committee, appointed by the House of Representatives in the summer of the year 1911, and charged with the duty of investigating the American Sugar Refining Co., popularly known as the Sugar Trust. It contains all the testimony taken upon that hearing, the committee having sat from the month of June, 1911, to the month of January, 1912.

The investigation covered the whole subject of the production of sugar. Witnesses were called from all parts of the country, and the committee pursued not only the line of inquiry into the organization of the American Sugar Refining Co. and other companies engaged in the production of sugar, but into every phase and feature of the production of sugar, including its cost, and the general facts in relation to it. The testimony embraces about 4,000 pages of printed matter.

I have likewise on my desk before me the hearings conducted by the Senate Finance Committee upon the same subject in the month of April, 1912, the hearings stretching over a period of nearly three weeks, when the whole subject was again canvassed by the Senate Finance Committee.

It has been said that the investigation first referred to was conducted by a hostile committee. Be that as it may, the facts have been developed, and they are here for the use of anybody who desires to make use of them.

I likewise have upon my desk a third volume, being the report of hearings conducted by the Ways and Means Committee of the House of Representatives in the month of January last upon this schedule. In this is testimony in relation to the industry in my own State. The Senate committee heard Mr. Hans Mendelson, an eminent scientist connected with the Billings factory, and as well informed upon the subject of sugar throughout the world as perhaps any man in the United States. He is the expert for the company operating the factory in my State. Before the House committee Mr. W. S. Garnsey, jr., the manager of that factory, was heard, and submitted a brief; and at the same time the other side of the question was heard through Mr. I. D. O'Donnell, a farmer of great skill and intelligence, and as well informed about conditions as any farmer in the State of Montana. He is a scientific farmer, a leader in the development of farming in my State, a teacher of scientific methods all over the State through the instrumentality of farmers' institutes and the like. He speaks with entire knowledge of the subject, for he is engaged in the business of raising sugar beets himself.

Mr. LA FOLLETTE. Mr. President—

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Wisconsin?

Mr. LA FOLLETTE. I know the Senator's time is very limited, and I shall not break in upon it but for just a moment, if I may do so.

Mr. WALSH. I shall be glad to hear the Senator.

Mr. LA FOLLETTE. I should like to inquire if the Senator has read the hearings upon sugar?

Mr. WALSH. I have.

Mr. LA FOLLETTE. Can the Senator inform me whether they disclose the amount of profit which the beet-sugar people derive from the tariff?

Mr. WALSH. They disclose—

Mr. LA FOLLETTE. That specific fact is the one I am after.

Mr. WALSH. The answer is a mere matter of inference. They disclose the cost, and they disclose the amounts received.

Mr. LA FOLLETTE. But if the Senator has been able to figure out just exactly what the profit is, I should be glad to have him give it; and one thing more: What percentage of the total cost of a unit of production, say 100 pounds of sugar, goes to labor?

Those are just one or two questions. I should like to cover the whole subject, but time does not permit.

Mr. WALSH. The fact is given; the report of the testimony shows the amount paid for labor.

Mr. LA FOLLETTE. It gives the amount paid in wages; but when you come to fix a duty by the pound or hundred pounds, that is just the trouble with all these hearings, if the Senator will pardon me; you can not figure out from the amount of stuff that there is there the thing that you need to fix the duty.

Mr. WALSH. I must answer the question by saying that I am unable to understand how you can demonstrate the fact by calling any witness again when he has given you the cost, and has given you the selling price, and has given all the elements that enter into each item. It seems to me the matter the Senator asks for is a mere matter of deduction that can not be drawn from any witnesses.

Mr. LA FOLLETTE. Mr. President, if the Senator intends to give me time to answer, that is just exactly what you can not get from any of these tariff hearings—the specific data which it is necessary to know, as applied to a unit of production upon which the tariff is levied, in order to determine how much of it goes to labor, how much of it goes to capital, and how much of it represents profit.

Mr. WALSH. However, Mr. President, I desire to continue by simply saying that after a careful study of this matter I am unable to conceive of a single fact in relation to this particular industry that could be elucidated that has not already been presented upon either the one side or the other.

Likewise, with reference to the subject of wool, the Tariff Board only a very short while ago went into an exhaustive investigation of the subject, and gave us the results of its inquiry. That is at the command of everyone.

The VICE PRESIDENT. The Senator's time is up.

Mr. WALSH. I may add if, in my judgment, any further information could be elicited from anybody concerned in either of these industries in my State that would tend to shed any light upon the subject, I should be glad to have the inquiry go on. As it is, it occurs to me to be entirely useless.

Mr. CLARK of Wyoming. Mr. President, the limited time remaining will probably more than suffice for what I shall have to say, because I doubt if anything that can be said in this presence will change the prearranged program in regard to this tariff bill.

I had hoped that there might be hearings before the committee. I had hoped that the great mass of business in this Republic, all of which is to be affected by the legislation which we are called upon to enact, would be given at least the poor privilege of a hearing before the Houses of Congress and letting its wants and views be known. But I have little hope that even if that should be granted, it would make any difference in the result.

I believe the edict has gone forth. I believe the Underwood bill is as much a law now for all practical purposes as it will be after the vote of the Senate is registered. I believe the real vote upon the Underwood bill will be taken in this body, where it was taken in the other, behind closed doors, in a secret party caucus.

I know men on that side of the Chamber who would gladly break away from political domination. I know men on that side of the aisle who believe that this bill is not just and righteous altogether, who believe that industries in their State are threatened—aye, and who believe that interests in their State are doomed; but, as said by the eminent Senator from Mississippi yesterday, they are going to bow their heads to the demands of the caucus. They are going to obey the lash of party expediency. There is no question about it.

I wish there might have been hearings. Whatever has been said about hearings, open hearings or closed hearings, before committees in times past, I venture to say that never in the history of tariff legislation, since tariff legislation began, was such a successful attempt made to railroad through a secret political caucus a great measure affecting every item of our daily life, in a great country that is the peer of any country on the face of the earth.

Mr. President, I hoped that the things might be otherwise. I had intended to say that I believed these great interests were entitled to come before the committee of the Senate, although not necessarily for the sole purpose of giving information to the committee alone. Undoubtedly the Senator from Georgia [Mr. SMITH] and the other Senators on the majority of this committee are perfectly competent to frame a tariff bill without information. Undoubtedly they have so studied the intricate questions affecting our tariff and our economic life that they are competent to sit down behind closed doors and, without other

information to work out a tariff that shall be the economic salvation of this country.

But I believe, further, that there is a right on the part of these great interests themselves. I believe that when a man's interests and his business are threatened or are to be passed upon by Congress, whether it be by the tariff or by other law, he has a right to come to the doors of committee rooms of Congress to be heard.

There are Members on that side who have preached the open door. There are Members who have preached that the committees of this House must always stand with open doors. There are Members upon that side who in their past life have detested down deep in their hearts and have exploited on the floor of the Senate their abhorrence of the secret party caucus. Yet there are very few but that within a few weeks of this time will come upon this floor and vote not their convictions, but what they have been told to vote, and what they will agree beforehand by the secret party caucus to vote.

Is it right? Do you believe it is right? Do you believe it is the right way to legislate? I know you do not. Yet the great Senator from Mississippi [Mr. WILLIAMS], having honest views upon the economic questions that confront us, having his own knowledge and views of right and wrong, said yesterday upon the floor of the Senate that he should take his views upon the tariff from his party associates.

Mr. SMITH of Michigan. Mr. President—

Mr. WILLIAMS. Mr. President, I should like to ask the Senator—

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Mississippi?

Mr. CLARK of Wyoming. I wish to yield to the Senator from Michigan.

Mr. CLARK of Wyoming subsequently said: Mr. President, I rose just before 4 o'clock for the purpose of putting into the RECORD a short extract, consisting of 10 or 12 lines, which give my views upon the subject matter under discussion. I ask unanimous consent that I may now put in that extract in connection with the remarks I then made.

The VICE PRESIDENT. Is there objection? The Chair hears none, and permission is granted.

Mr. CLARK of Wyoming. In connection with this motion for open hearings, I may be permitted to call the attention of my Democratic friends to a work recently published, *The New Freedom*, in which the leader of your party, the President of the United States, whose influence is most potent in this Chamber and at whose slightest wish tariff schedules are written and altered, and whose judgment as to rates is implicitly followed by the Democratic Party in this body, makes use of the following words, which I commend to your careful consideration before this vote is taken. The words are found at page 143, and are as follows:

The moral of the whole matter is this: The business of the United States is not, as a whole, in contact with the Government of the United States. So soon as it is, the matters which now give you, and justly give you, cause for uneasiness will disappear. Just so soon as the business of this country has general, free, welcome access to the councils of Congress all friction between business and politics will disappear.

Mr. SMITH of Michigan. With the consent of the Senator from Wyoming, I desire to send to the desk a telegram I have just received, bearing upon the question of the hearings recently held before the Ways and Means Committee, and ask that it be read for the information of the Senate.

The VICE PRESIDENT. If there be no objection, the Secretary will read as requested.

Mr. WILLIAMS. The telegram interferes with the question and its appropriateness, so I shall not ask it.

The Secretary read as follows:

HOLLAND, MICH., May 15, 1913.

Hon. WM. ALDEN SMITH, Washington, D. C.:

In behalf of our company and the beet-sugar industry of Michigan, we ask you to use your utmost endeavors to secure a hearing before the Finance Committee for this great Michigan industry. The sugar hearings before the House committee were worse than a farce, the Michigan interests, with an investment of over \$20,000,000, being given less than five minutes' time to present their case. The representative of our company was denied a hearing before that committee in January. He appeared in Washington in April, just before the opening of the present session of Congress, but was denied by the President and his advisors the privilege of presenting our views to them, and was told that the matter was foreclosed.

Not a man from Michigan, representing this industry, was allowed to talk to the President; and now the claim is set up that independent beet-sugar factories of Michigan do not oppose free sugar as provided in the House bill, since they have not protested. This is adding insult to injury. Free sugar will kill the beet-sugar industry, destroy a \$2,000,000 investment which we have made in good faith, and give the eastern refiners a monopoly of the business without permanently reducing the price to the consumer. We believe we can establish this fact to the satisfaction of the members of the Senate Finance Committee if given an opportunity. May we urge you to insist that we now be given the right which has been denied us elsewhere.

BOARD OF DIRECTORS HOLLAND-ST. LOUIS SUGAR CO.,
C. M. MCLEAN, President.

The VICE PRESIDENT (at 4 o'clock p. m.). The time is up. The question is on the motion of the Senator from North Carolina [Mr. SIMMONS] to refer House bill No. 3321 to the Committee on Finance, to which there is an amendment proposed by the Senator from Pennsylvania [Mr. PENROSE] as amended by the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Pennsylvania concurring in the amendment of the Senator from Wisconsin. The question is upon the amendment.

Mr. LA FOLLETTE. Upon that I ask for the yeas and nays. The yeas and nays were ordered.

Mr. LA FOLLETTE. I ask that the amendment be read as amended.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. The amendment offered by the Senator from Pennsylvania [Mr. PENROSE] is to add to the motion of the Senator from North Carolina [Mr. SIMMONS] the following words:

And that said committee is hereby instructed to hold public hearings upon the bill and the schedules thereof.

The amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE] to the amendment, and accepted by the Senator from Pennsylvania [Mr. PENROSE], is to insert, after the word "thereof":

And the Senate Committee on Finance is further instructed to submit to all manufacturers who shall appear before said committee, or who shall file protests against any of the provisions of said bill or briefs or arguments relating to any of its provisions, the following interrogatories, the same to be answered separately and specifically, the answer to each question to be under oath and to be numbered to correspond with the question propounded:

First. What is the nature and use of the commodity which you produce?

Second. What are the raw materials used in its production?

Third. What is the amount of the production of this commodity in this country?

Fourth. What is the amount of the consumption of this commodity in this country?

Fifth. How many concerns are engaged in the manufacture of the commodity under consideration?

Sixth. Who are the principal producers?

Seventh. What are the ruling market prices of this commodity in this country?

Eighth. What are the ruling market prices of this commodity in competing countries?

Ninth. What is the total cost of production per unit of product in this country?

Tenth. What is the total cost of production per unit of product in competing countries?

Eleventh. What is the percentage of the labor cost to the total cost of a unit of product in this country?

Twelfth. What is the percentage of the labor cost to the total cost of a unit of product in competing foreign countries?

Thirteenth. What is the cost of transportation to the principal markets in this country from the principal point of production in this country?

Fourteenth. What is the cost of transportation to the principal markets in this country from the principal points of production in competing foreign countries?

Fifteenth. What part of the existing duty represents the difference in the cost of production between this and competing foreign countries?

Sixteenth. What part of the existing duty represents the profit of the American manufacturer?

The VICE PRESIDENT. The Senator from Pennsylvania consented that the amendment of the Senator from Wisconsin should become a part of his amendment to the original motion. The vote will be upon the amendment, considered as one amendment. Those in favor will say "yea" and those opposed "nay." The Secretary will call the roll.

Mr. GORE. Mr. President, if it is in order, I should like to ask the Senator from Wisconsin if he would not add three other interrogatories.

Mr. GALLINGER. That can not be done now.

Mr. LA FOLLETTE. I understand that the yeas and nays have been ordered upon this amendment.

The VICE PRESIDENT. The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I announce my pair with the junior Senator from Maryland [Mr. JACKSON]. If I were permitted to vote, I would vote "nay."

Mr. SMOOT (when Mr. DU PONT's name was called). The senior Senator from Delaware [Mr. DU PONT] is unavoidably detained from the Senate. He has a general pair with the senior Senator from Texas [Mr. CULBERSON]. If the Senator from Delaware were present, he would vote "yea."

Mr. CATRON (when Mr. FALL's name was called). My colleague [Mr. FALL] is unavoidably absent from the Senate. He is paired with the senior Senator from Arizona [Mr. SMITH]. If my colleague were present, he would vote "yea."

Mr. BRYAN (when Mr. FLETCHER's name was called). My colleague [Mr. FLETCHER] is necessarily absent from the city. He is paired with the junior Senator from Wyoming [Mr. WARREN]. If my colleague were present, he would vote "nay."

Mr. LEA (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT]. If I were at liberty to vote, I would vote "nay."

Mr. OLIVER (when Mr. PENROSE's name was called). My colleague [Mr. PENROSE] is necessarily absent from Washington. If he were present, he would vote "yea." He is paired with the senior Senator from Mississippi [Mr. WILLIAMS].

Mr. POMERENE (when his name was called). I am paired with the junior Senator from North Dakota [Mr. GRONNA]. I am not advised how he would vote. If I were free to vote, I would vote "nay."

Mr. SAULSBURY (when his name was called). I am paired on this question with the junior Senator from Rhode Island [Mr. COLT]. If he were present, I should vote "nay."

Mr. SMITH of Arizona (when his name was called). The junior Senator from New Mexico [Mr. CATRON] has given notice of my pair with the senior Senator from New Mexico [Mr. FALL]. I entered into a general pair with that Senator, but withheld, by telephone to his house and to his office, the question now before the Senate, retaining my right to vote upon the question of reference with instructions; and on that question I feel at liberty to vote. I vote "nay."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. McCUMBER]. If I had the privilege of voting, I would vote "nay."

Mr. THOMAS (when his name was called). Upon this motion I am paired with the junior Senator from Maine [Mr. BURLEIGH]. If he were present, I would vote "nay."

Mr. CLARK of Wyoming (when Mr. WARREN's name was called). My colleague [Mr. WARREN] is detained from the Chamber by important public business. He is paired with the senior Senator from Florida [Mr. FLETCHER]. If my colleague were present, he would vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair with the Senator from Pennsylvania [Mr. PENROSE]. Save for that, I would vote "nay."

The roll call was concluded.

Mr. SHEPPARD. My colleague, the senior Senator from Texas [Mr. CULBERSON], is necessarily absent. He has a general pair with the Senator from Delaware [Mr. DU PONT]. If my colleague were present, he would vote "nay."

Mr. GALLINGER. I was requested to announce that the Senator from Rhode Island [Mr. LIPPITT] is paired with the Senator from Tennessee [Mr. LEA].

The result was announced—yeas 36, nays 41, as follows:

YEAS—36.

Borah	Crawford	McLean	Smith, Mich.
Bradley	Cummins	Nelson	Smoot
Brady	Dillingham	Norris	Stephenson
Brandeggee	Gallinger	Oliver	Sterling
Bristow	Goff	Page	Sutherland
Burton	Jones	Perkins	Thornton
Catron	Kenyon	Russell	Townsend
Clapp	La Follette	Root	Weeks
Clark, Wyo.	Lodge	Sherman	Works

NAYS—41.

Ashurst	Johnson, Me.	Owen	Smith, Ga.
Bacon	Johnston, Ala.	Pittman	Smith, S. C.
Bankhead	Kern	Poindexter	Stone
Bryan	Lane	Reed	Swanson
Chamberlain	Lewis	Robinson	Thompson
Clarke, Ark.	Martin, Va.	Shafroth	Tillman
Gore	Martine, N. J.	Sheppard	Vardaman
Hitchcock	Myers	Shields	Walsh
Hollis	Newlands	Shively	
Hughes	O'Gorman	Simmons	
James	Overman	Smith, Ariz.	

NOT VOTING—19.

Burleigh	Fall	Lippitt	Smith, Md.
Chilton	Fletcher	McCumber	Thomas
Colt	Gronna	Penrose	Warren
Culbertson	Jackson	Pomerene	Williams
du Pont	Lea	Saulsbury	

So the amendment was rejected.

The VICE PRESIDENT. The question now recurs on the motion of the Senator from North Carolina [Mr. SIMMONS] that the bill be referred to the Committee on Finance.

The motion was agreed to.

PAINT CREEK COAL FIELDS, WEST VIRGINIA.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which is Senate resolution 37, providing for an investigation into the conditions in the Paint Creek coal fields, West Virginia.

Mr. KERN. I ask that the unfinished business be temporarily laid aside, and I will ask that it be taken up on Monday.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the unfinished business will be temporarily laid aside.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes; insists on its disagreement to the amendment of the Senate numbered 2 to the bill, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FITZGERALD, Mr. SHERLEY, and Mr. GILLET managers at the further conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. KERN. I have received two telegrams, in the nature of resolutions. They are very short, and I ask that they lie on the table and be printed in the RECORD.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the RECORD, as follows:

[Telegram.]

ST. LOUIS, MO., May 12, 1913.

Hon. JOHN W. KERN,
United States Senate, Washington, D. C.:

The Central Trades and Labor Union of St. Louis, Mo., representing 65,000 organized men and women, heartily indorse your West Virginia strike investigation resolution. Such investigation we know will result in bringing to light the outrageous treatment accorded the struggling miners and friends of West Virginia.

DAVID KREYLING, Secretary.

[Telegram.]

PORT ARTHUR, TEX., May 12, 1913.

Hon. JOHN W. KERN,
United States Senate, Washington, D. C.:

Texas Federation of Labor, in sixteenth convention assembled, unanimously instructs us to wire you that its 70,000 members appreciate fight you are making for the workers of West Virginia.

C. W. WOODMAN.
T. C. JENNINGS.
A. C. SACHAUSEN.

Mr. JOHNSON of Maine presented memorials of the Central Labor Union of Woodland, of Dirigo Lodge, International Brotherhood of Paper Makers, of Augusta, and of sundry citizens of Presque Isle, Princeton, Woodland, Baileyville, Fort Kent, East Fort Kent, St. Francis, and Frenchville, all in the State of Maine, remonstrating against any reduction in the duty on print paper and pulp, which were referred to the Committee on Finance.

FOURTEENTH INTERNATIONAL CONGRESS ON ALCOHOLISM.

Mr. SWANSON, from the Committee on Foreign Relations, to which was referred the bill (S. 1620) to provide for representation of the United States in the Fourteenth International Congress on Alcoholism, and for other purposes, reported it with amendments and submitted a report (No. 41) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Maine:

A bill (S. 2075) granting an increase of pension to Thomas S. Henderson; and

A bill (S. 2076) granting a pension to Annie Farnsworth Merritt; to the Committee on Pensions.

A bill (S. 2077) for the relief of Augustus A. Gibson and others; to the Committee on Claims.

By Mr. JOHNSON of Maine (for Mr. BURLEIGH):

A bill (S. 2078) granting a pension to Etta A. Stanchfield; to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 2079) for the relief of J. B. Johnson;

A bill (S. 2080) for the relief of Mrs. C. A. Smith; and

A bill (S. 2081) for the relief of Celicia Jordon; to the Committee on Claims.

A bill (S. 2082) to correct the military record of Cumberland Smith;

A bill (S. 2083) to correct the military record of George Miller;

A bill (S. 2084) to correct the military record of John A. Patterson; and

A bill (S. 2085) to correct the military record of William Dunsford, alias William King; to the Committee on Military Affairs.

A bill (S. 2086) granting an increase of pension to Ella A. Tyler (with accompanying paper);

A bill (S. 2087) granting a pension to Charles L. Boggess (with accompanying paper);

A bill (S. 2088) granting a pension to William Ginter (with accompanying paper);

A bill (S. 2089) granting a pension to Abraham W. Howard (with accompanying papers);

A bill (S. 2090) granting a pension to Elizabeth Crum (with accompanying papers);

A bill (S. 2091) granting a pension to William Fergusson (with accompanying paper);

A bill (S. 2092) granting a pension to George W. Smith (with accompanying papers);

A bill (S. 2093) granting an increase of pension to John F. Bennett (with accompanying papers);

A bill (S. 2094) granting a pension to J. A. Vaughan;

A bill (S. 2095) granting a pension to George P. Thompson;

A bill (S. 2096) granting a pension to John A. Thayer;

A bill (S. 2097) granting a pension to Harriet Roeck;

A bill (S. 2098) granting a pension to A. K. Spencer;

A bill (S. 2099) granting a pension to Silas Bradley;

A bill (S. 2100) granting a pension to Adam Akers;

A bill (S. 2101) granting a pension to William H. Jeffers;

A bill (S. 2102) granting a pension to John Hammons;

A bill (S. 2103) granting a pension to Edgar E. Cummings;

A bill (S. 2104) granting a pension to Alexander W. Donaldson;

A bill (S. 2105) granting a pension to John Devinney;

A bill (S. 2106) granting a pension to Harriet A. Glasscock;

A bill (S. 2107) granting a pension to Mary A. Johnson;

A bill (S. 2108) granting a pension to Elijah Hemings;

A bill (S. 2109) granting an increase of pension to Jacob Hilfinger;

A bill (S. 2110) granting a pension to Gideon Hill;

A bill (S. 2111) granting an increase of pension to Laura B. Hess;

A bill (S. 2112) granting a pension to Ida L. Jeffries;

A bill (S. 2113) granting a pension to Sarah Hunter;

A bill (S. 2114) granting an increase of pension to Andrew J. Holdren;

A bill (S. 2115) granting a pension to Cynthe Harrah;

A bill (S. 2116) granting a pension to Adda B. Holmes;

A bill (S. 2117) granting a pension to Margaret C. Jenkins;

A bill (S. 2118) granting an increase of pension to Enos J. Brownfield;

A bill (S. 2119) granting an increase of pension to Oscar C. Black;

A bill (S. 2120) granting an increase of pension to George F. Brown;

A bill (S. 2121) granting a pension to Richard L. Brown;

A bill (S. 2122) granting a pension to G. C. Acree;

A bill (S. 2123) granting a pension to John B. Bromley, jr.;

A bill (S. 2124) granting a pension to Harvey Burns;

A bill (S. 2125) granting a pension to Silas Bradley;

A bill (S. 2126) granting an increase of pension to Samuel W. Ake;

A bill (S. 2127) granting a pension to James W. Magers;

A bill (S. 2128) granting a pension to William B. Lane;

A bill (S. 2129) granting a pension to John W. May;

A bill (S. 2130) granting a pension to James P. King;

A bill (S. 2131) granting a pension to Warner P. Price;

A bill (S. 2132) granting a pension to S. A. Greenlee;

A bill (S. 2133) granting a pension to George W. Cook;

A bill (S. 2134) granting an increase of pension to Margaret Matheny;

A bill (S. 2135) granting an increase of pension to Richard Woods;

A bill (S. 2136) granting a pension to I. M. Conley;

A bill (S. 2137) granting a pension to Benjamin F. Eagle;

A bill (S. 2138) granting a pension to Samuel O. Johnson;

A bill (S. 2139) granting an increase of pension to Mary White;

A bill (S. 2140) granting a pension to W. V. Fish;

A bill (S. 2141) granting a pension to Harlan L. Whaley;

A bill (S. 2142) granting an increase of pension to William W. Waters;

A bill (S. 2143) granting an increase of pension to Levi Toney;

A bill (S. 2144) granting an increase of pension to Andrew B. Keith;

A bill (S. 2145) granting a pension to Florence Harmon;

A bill (S. 2146) granting an increase of pension to John Bachtler;

A bill (S. 2147) granting a pension to Clarinda Cain;

A bill (S. 2148) granting a pension to J. B. Conley;

A bill (S. 2149) granting an increase of pension to John Walton;

A bill (S. 2150) granting a pension to John D. Pearson;

A bill (S. 2151) granting a pension to Mary E. Putney;

A bill (S. 2152) granting a pension to Mary M. Pollard;

A bill (S. 2153) granting an increase of pension to James McConnell;
 A bill (S. 2154) granting a pension to B. F. Morrow;
 A bill (S. 2155) granting a pension to Charles McCarthy;
 A bill (S. 2156) granting an increase of pension to John Groves;
 A bill (S. 2157) granting an increase of pension to Charles T. Howard;
 A bill (S. 2158) granting a pension to Myrtle Jackson;
 A bill (S. 2159) granting an increase of pension to Bettie F. Edens;
 A bill (S. 2160) granting an increase of pension to Marshall Canfield;
 A bill (S. 2161) granting an increase of pension to Isaac Comer;
 A bill (S. 2162) granting a pension to Elizabeth J. Mitchell;
 A bill (S. 2163) granting an increase of pension to George A. Porterfield;
 A bill (S. 2164) granting a pension to Kate G. Morris;
 A bill (S. 2165) granting a pension to Harrie Pierson;
 A bill (S. 2166) granting a pension to Cornelius Gandy;
 A bill (S. 2167) granting an increase of pension to Henry Harris;
 A bill (S. 2168) granting an increase of pension to Amos Hoy;
 A bill (S. 2169) granting an increase of pension to Joseph Hunter;
 A bill (S. 2170) granting a pension to C. Harvey Sayre;
 A bill (S. 2171) granting a pension to Nettie Hustler;
 A bill (S. 2172) granting an increase of pension to Allen Tyler;
 A bill (S. 2173) granting an increase of pension to Thomas Copley;
 A bill (S. 2174) granting a pension to Ida P. Duffy;
 A bill (S. 2175) granting a pension to George W. Tyler;
 A bill (S. 2176) granting an increase of pension to Rebecca Wriston;
 A bill (S. 2177) granting an increase of pension to George J. Wilson;
 A bill (S. 2178) granting an increase of pension to Austin B. Wells;
 A bill (S. 2179) granting a pension to Jacob H. Wetzel;
 A bill (S. 2180) granting a pension to George W. Smith;
 A bill (S. 2181) granting a pension to Elizabeth S. Ryan;
 A bill (S. 2182) granting a pension to Barbara J. Reed;
 A bill (S. 2183) granting an increase of pension to George W. Parsons;
 A bill (S. 2184) granting an increase of pension to George Windings;
 A bill (S. 2185) granting a pension to Mollie C. Warren;
 A bill (S. 2186) granting a pension to Isaac Wharton;
 A bill (S. 2187) granting a pension to Lucinda Traub;
 A bill (S. 2188) granting an increase of pension to Alexander Thacker;
 A bill (S. 2189) granting a pension to Taylor Garrison;
 A bill (S. 2190) granting pensions to Daisy M. Watson, Frank L. Watson, Robert L. Watson, Dana B. Watson, Miran B. Watson, and Owings Watson;
 A bill (S. 2191) granting an increase of pension to James A. Mahaffy;
 A bill (S. 2192) granting a pension to Charles McCarthy;
 A bill (S. 2193) granting a pension to John F. Kendall;
 A bill (S. 2194) granting a pension to A. T. Landress;
 A bill (S. 2195) granting an increase of pension to Samuel W. Harden;
 A bill (S. 2196) granting an increase of pension to John S. Hall;
 A bill (S. 2197) granting a pension to John A. Harden; and
 A bill (S. 2198) granting a pension to Edward D. Hamrick; to the Committee on Pensions.
 A bill (S. 2199) authorizing the President to appoint Andrew Summers Rowan to be a colonel in the Army; to the Committee on Military Affairs.

THE TARIFF.

Mr. BURTON submitted an amendment intended to be proposed by him to the bill (H. R. 3321) to reduce tariff duties and provide revenue for the Government, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

Mr. BRYAN submitted an amendment intended to be proposed by him to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

ADDRESS BY HON. WILLIAM C. REDFIELD (S. DOC. NO. 37).

Mr. POMERENE. Mr. President, I have in my hand an address delivered by the Secretary of Commerce, William C. Redfield, on May 14, 1913, before the National Association of Employing Lithographers in this city. This speech has been referred to a number of times in the course of the debates in the Chamber and has excited a great deal of comment. I ask that it be printed as a public document.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. POMERENE. There have been a great many demands for copies of this address, and I ask that 10,000 additional copies be printed.

Mr. SMOOT. Does the Senator mean 10,000 copies in addition to the regular number, or does he mean 10,000 including the regular number?

Mr. POMERENE. I did not express myself as to that. I think it should be 10,000 copies in addition to the regular number.

Mr. SMOOT. I do not know what the paper is, but if the Senator says it is really necessary, I will not object to the printing.

Mr. POMERENE. I know there is a very great demand for it, and the person with whom I have conferred has suggested it.

Mr. STONE. What is the usual number?

Mr. SMOOT. The usual number is 1,764. I will state to the Senator that out of that number, of course, copies are sent to all the libraries and the different departments, and so many to each Senator and each Member of the House of Representatives. The VICE PRESIDENT. It is so ordered, if there is no objection.

BUREAU OF WOMAN LABOR (S. DOC. NO. 38).

Mr. SMOOT. I have a letter addressed to Hon. William B. Wilson, Secretary of Labor, United States Department of Labor, signed by Mrs. Flora McDonald Thompson. It is very short, and as it is in the shape of a petition to establish a bureau of woman labor I ask that it be printed as a public document.

The VICE PRESIDENT. Is there objection? The Chair hears none.

COMMITTEE ON POST OFFICES AND POST ROADS.

Mr. BANKHEAD. I offer the resolution which I send to the desk, and I ask for its present consideration.

The VICE PRESIDENT. The Senator from Alabama asks unanimous consent for the immediate consideration of a resolution, which the Secretary will read.

The Secretary read the resolution (S. Res. 85), as follows:

Resolved, That the Committee on Post Offices and Post Roads, or any subcommittee thereof, be authorized during the Sixty-third Congress to send for books and papers, to administer oaths, and to employ a stenographer, at a price not to exceed \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before the said committee; that the committee may sit during the sessions or recesses of the Senate; and the expense thereof shall be paid out of the contingent fund of the Senate.

The VICE PRESIDENT. The resolution is not now in order to be considered. It will have to be first referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. BANKHEAD. Mr. President, was there objection to the consideration of the resolution which I submitted? I do not care to have the resolution referred, because if we can not have the resolution passed so that the committee may have this permission by Monday we shall not need it. The resolution does not require to be referred at all. We have very important hearings set for Monday.

Mr. SHAFROTH. Does not the Committee to Audit and Control the Contingent Expenses of the Senate meet to-morrow?

Mr. BANKHEAD. The Senate does not meet to-morrow.

Mr. BACON. Mr. President, it is not a matter in the discretion of the Senate. The reference of such a resolution is prescribed by statute law.

Mr. STONE. I should like to have the resolution again read.

The VICE PRESIDENT. The Secretary will again read the resolution.

The Secretary again read the resolution submitted by Mr. BANKHEAD.

Mr. STONE. Mr. President, almost exactly a similar resolution to the one just read was presented to the Senate about a week ago by me under the instruction of the Committee on Indian Affairs and referred to the Committee to Audit and Control the Contingent Expenses of the Senate. I asked immediate consideration for the resolution, but some Senator suggested that it must go—and I think he was right—to that committee. Notwithstanding that, I desire to say to the Senator that the Committee on Indian Affairs, practically without authority

of the Senate, has been going on holding what the majority of the members of the committee consider important hearings, and in a way they are important. To-morrow the committee to which the resolution was referred will meet, as I am informed by the Senator from Mississippi (Mr. WILLIAMS), but the resolution can not be reported before Monday. I do not know whether the Senate will ever authorize the work that is now being done by the committee. If they do not, as I have told the members of the Committee on Indian Affairs, we will have to "chip in" and pay it, and it will amount to several hundred dollars.

Mr. SMOOT. The Senator can have an item to cover the expenditure inserted in an appropriation bill, and there is no question that it will be passed.

Mr. JAMES. It is a small matter.

Mr. STONE. Not much—a few hundred dollars. But my object in saying what I have said is that, in view of what we were doing and what I said at that time of the importance of passing the resolution, the situation being exactly that which the Senator from Alabama now presents, the Senate declined to allow the immediate consideration of the resolution—

Mr. SMOOT. The Senate could not allow it under the law without a reference.

Mr. STONE (continuing). Because the statute law requires that such resolutions shall be referred to the Committee to Audit and Control the Contingent Expenses of the Senate. I have been trying to get the Senator from Mississippi for a week to report the resolution; but he is so very busy with other matters and the members of his committee are so busy with other matters that he could not get them together until the regular day of meeting, which will be to-morrow. So we members of the Indian Affairs Committee are taking our chances as to whether the Senate will approve what is being done. Otherwise the members of the committee will have to contribute to the expense.

I think, under the rule and under the law, the resolution of the Senator from Alabama will have to go to the committee. I have said this so that my friend from Alabama will follow the distinguished example that I am presenting and go on with his hearings.

The VICE PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

INTERNATIONAL CONFERENCE ON EDUCATION.

Mr. BURTON. I ask unanimous consent to take from the table and to have considered House joint resolution 82.

The VICE PRESIDENT. The Senator from Ohio asks unanimous consent to take from the table and have considered House joint resolution 82, the title of which the Secretary will read.

The SECRETARY. A joint resolution (H. J. Res. 82) authorizing the President to accept an invitation to participate in an international conference on education.

The VICE PRESIDENT. Is there objection to the request of the Senator from Ohio?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. CHILTON. What is the resolution?

The VICE PRESIDENT. The Secretary will read the joint resolution.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the President is hereby authorized to accept an invitation extended by the Netherlands Government to the Government of the United States to participate by delegates in an international conference on education to be held at The Hague in the year 1913: Provided, That no appropriation shall be granted at any time for expenses of delegates or other expenses incurred in connection with said conference.

Mr. BURTON. Mr. President, I will state that a joint resolution almost identical in language is on the calendar, being Calendar No. 25, Senate joint resolution No. 32. I take it that the proper procedure is to pass the House joint resolution and then ask that the Senate joint resolution be indefinitely postponed.

Mr. NORRIS. Mr. President, if the Senator will allow me—

Mr. BURTON. Certainly.

Mr. NORRIS. I notice a provision in the joint resolution to the effect that no appropriation shall be granted for the expenses of delegates.

Mr. BURTON. It is carefully guarded so that there will be no expense to the Government.

Mr. NORRIS. I was wondering what the object was in omitting an appropriation. I should like to ask who will appoint these delegates?

Mr. BURTON. I suppose they will be appointed on the recommendation of the Commissioner of Education. I will state

that this joint resolution came from the office of the Commissioner of Education.

Mr. NORRIS. It does not give him authority in terms to do so.

Mr. BURTON. No; but that authority, I take it, is implied, in view of the proposed acceptance of the invitation by the State Department.

Mr. NORRIS. It seems to me that it would be better for the resolution specifically to provide the number of delegates, then provide that the President shall appoint them, and appropriate for the payment of their expenses. I believe, if the conference is of sufficient importance to be international—and I have a good deal of sympathy with that kind of a movement—that we ought not to confine it merely to those who are able to pay their own expenses, but we should be able to get the highest character of delegates; and perhaps persons answering that description could not afford to go unless their expenses were paid.

Mr. BURTON. Mr. President, I raised the point made by the Senator from Nebraska of the desirability of including some specification as to the appointment of delegates; but it was thought not best to make any specification in that regard.

As to the second point, that there should be an appropriation, if I can judge correctly of the temper of the Senate, it is very strongly against appropriations for international conferences. There have been an unusual number of them in recent years. Provision has been made in some way—I have asked no questions how—for paying the expenses of the representatives from this Government at the conference at The Hague, and I do not think it desirable under the circumstances to provide any appropriation.

Mr. NORRIS. Mr. President, it is to be an international meeting on the subject of education, as I understand, something in which every citizen of the country is deeply interested; and while I would not favor an appropriation unless there was a limitation as to appointments, and so forth, and unless the President was given express authority to make the appointments, it seems to me that in a great international meeting on that subject we ought not to run the risk of having delegates selected whose expenses might be paid, perhaps, by some one having an interest in the result of the deliberations of that body, particularly when it is on the subject of education.

Mr. SMOOT. Mr. President, I will say to the Senator that if history repeats itself in this case, as it has done in many other cases, there will be a claim made for the expenses of transportation of the delegates who may go to this convention.

Mr. NORRIS. I will say to the Senator that I will not be in favor of paying that claim when it comes in, because, if we pay the expenses we ought to provide exactly the number who will be appointed, name the appointing power, and make it specific; otherwise, of course, we ought not to pay for it.

Mr. SMOOT. If the Senator is not on the Committee on Appropriations, the appropriation might go through, and he would never know of it.

Mr. NORRIS. He might find it out, and might not be able to prevent it; but, so far as his individual vote or influence is concerned, it would be against it, unless the resolution made compulsory some specific method of appointment and limited the number that could be appointed.

Mr. SMOOT. I rather sympathize with the statement the Senator has made. I simply stated that I did not think there need be any worry about the claim being made against the Government for the expenses.

Mr. BACON. If the Senator from Ohio will permit me—

Mr. BURTON. I yield to the Senator.

Mr. BACON. This matter comes through the State Department, with correspondence between the Netherlands Government and the officials of the State Department, and the apprehension of the Senator from Utah is entirely unfounded, or, rather, it will not materialize, from the fact that it is shown that the money has already been deposited for the purpose of paying these expenses by the parties who are promoting the conference.

Mr. SMOOT. The statement I made was based upon the statement that was made by the Senator from Nebraska. Of course, I had not read the resolution.

Mr. BACON. The resolution does not express it, but the papers which have come to the Committee on Foreign Relations from the State Department give the entire history of the matter and show that a certified check for the amount of \$5,000, if I recollect correctly, has already been deposited for the purpose of meeting these expenses. Am I correct in my statement of the amount?

Mr. BURTON. I am not sure of the exact amount.

Mr. KENYON. Deposited by whom, Mr. President?

Mr. SWANSON. Miss Andrews, of Boston.

Mr. BACON. Yes. I will say, furthermore, that the lady herself came, and I saw her personally.

Mr. ASHURST. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Arizona?

Mr. BURTON. Certainly.

Mr. ASHURST. I thank the Senator. I was unable to ascertain exactly what Senator had the floor, as six or seven Senators were standing, and I wish to ask for a moment of time. I was unable to tell who had the floor.

The VICE PRESIDENT. The Senator from Ohio [Mr. BURTON] has the floor.

Mr. SWANSON. If the Senator from Ohio will permit me just a minute—

Mr. BURTON. I did not understand the interrogatory of the Senator from Arizona.

Mr. ASHURST. At the appropriate time I wish to secure the floor for a moment. I simply rose to ask the Senator who had the floor if he would not yield to me, not knowing who had the floor.

Mr. BURTON. There is a resolution pending which we desire to have disposed of, I will say to the Senator from Arizona. I now yield to the Senator from Virginia.

Mr. SWANSON. Mr. President, this resolution was reported from the Committee on Foreign Relations. Miss Andrews, of Boston, has agreed to furnish all the expenses incident to this educational meeting. The resolution was passed through the House of Representatives with the distinct understanding and assurance given by Mr. Flood that no appropriation would ever be expected to be asked to defray the expenses incident to it, and I am satisfied that none will be asked.

Mr. BURTON. Mr. President, I called up the House resolution. I take it that is clearly understood at the desk.

The VICE PRESIDENT. The Chair understands that the House resolution is before your committee.

Mr. BURTON. It is marked on the resolution, "Referred to the committee," but the Committee on Foreign Relations has reported favorably an identical resolution. House joint resolution 82 is the one which I have asked to have taken from the table and considered, and Senate joint resolution 32 has been favorably reported.

The VICE PRESIDENT. The Chair will state to the Senator from Ohio that the Chair is informed that this is the method of procedure, if the Senator will adopt it: To report this House resolution, put it upon its passage, and, when it is passed, indefinitely postpone the Senate resolution. That will keep the record straight.

Mr. BURTON. I have not so understood the procedure.

Mr. BACON. I want to suggest to the Senator from Ohio that if it is a fact, to which my attention has not previously been called, that this House resolution has already been referred to the Committee on Foreign Relations, of course it can not be acted upon now by the Senate until there is a report from that committee.

Mr. BURTON. Mr. President, would not unanimous consent make it possible to consider this? It is in a position where the objection is a technical one rather than otherwise. There is on the calendar here, Order of Business No. 25, a resolution reported which is absolutely identical in substance. I take it that by unanimous consent it could be considered.

Mr. NELSON. Mr. President, if the Senator will allow me, why not make a motion to discharge the Committee on Foreign Relations from further consideration of the matter and have the bill reported to the Senate, and then ask that the Senate substitute it for the Senate resolution?

Mr. BURTON. I make that motion, Mr. President—that the Senate Committee on Foreign Relations be discharged from further consideration of House joint resolution No. 82.

The VICE PRESIDENT. The Senator from Ohio asks unanimous consent that the Committee on Foreign Relations be discharged from the further consideration of House joint resolution No. 82, which the Secretary will state.

The SECRETARY. A joint resolution (H. J. Res. 82) authorizing the President to accept an invitation to participate in the international conference on education.

The VICE PRESIDENT. Is there objection?

Mr. SHIVELY. Let me ask whether this resolution was not reported by the Committee on Foreign Relations?

Mr. BURTON. Yes; it was.

Mr. SHIVELY. Then, why discharge the committee?

Mr. BURTON. It could have been taken from the committee immediately when it came over from the House, but it seems a reference of it was made to the Senate Committee on Foreign Relations.

Mr. SHIVELY. Oh! The Senator's proposition is to discharge the Committee on Foreign Relations from the further consideration of the House resolution?

Mr. BURTON. Yes; and then to pass the House resolution.

Mr. SHIVELY. I understand.

The VICE PRESIDENT. Is there objection to the request?

The Senate, as in Committee of the Whole, by unanimous consent, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. BURTON. I ask unanimous consent that Order of Business No. 25, Senate joint resolution No. 32, be indefinitely postponed.

The VICE PRESIDENT. Without objection, that action will be taken.

ADJOURNMENT TO MONDAY.

Mr. KERN. I move that when the Senate adjourns to-day, it adjourn to meet on Monday next.

The motion was agreed to.

ARMOR PLATE FOR NAVAL VESSELS.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

Mr. ASHURST. Mr. President, I presume that motion is not debatable, and, of course, I could not be heard now except by unanimous consent.

Mr. BACON. I will withhold the motion, Mr. President.

Mr. ASHURST. Mr. President, heretofore, to wit, on the 17th of March, 1913, and again on May 8 I introduced the following resolution (S. Res. 78):

Whereas bids were opened by the Secretary of the Navy in February, 1913, for furnishing armor plate for the dreadnought *Pennsylvania*; and

Whereas the representatives of three firms manufacturing armor plate in the State of Pennsylvania, while pretending to bid as competitors, after a conference submitted bids which did not vary more than \$1 per ton; and

Whereas the then Secretary of the Navy, notwithstanding an intimation made on the floor of the Senate of the United States that it was alleged there existed collusion among different manufacturers to advance the price of armor plate and divide the profits of the contract, awarded the contract on March 3, 1913, by dividing, for all practical purposes, the award of 8,000 tons of armor plate among the three companies; and

Whereas it is alleged that this action of the said firms reveals that they comprise an Armor Plate Trust, and that the price named in the contract awarded by the Secretary of the Navy is in the neighborhood of about \$25 per ton higher than the previous awards by the Department of the Navy for armor plate: Therefore be it

Resolved, That the Secretary of the Navy be, and he is hereby, directed to forward to the Senate at as early a date as practicable a report on the amount of armor plate ordered by the Department of the Navy during the past 25 years, the prices paid in each award, and the names of the firms or corporations to whom the contracts were awarded.

Mr. BACON. Mr. President, I thought the Senator simply wished to make a statement.

Mr. ASHURST. I shall occupy only three or four minutes.

Mr. BACON. Does the Senator desire action on the matter at this time?

Mr. ASHURST. No; I shall not ask action on the resolution this evening.

Mr. BACON. I withdraw my objection, then. I thought the Senator wanted to take it up for action.

Mr. ASHURST. I thank the distinguished Senator from Georgia; I am indebted to him for many favors, and his courtesy in withholding his motion at this time is especially appreciated.

Doubting, as I do, an opportunity to secure the early passage of this resolution, I therefore lay before the Senate and before the country the following facts: When the bids were called for, or proposals were published asking for bids for furnishing 8,000 tons of armor plate for the dreadnought *Pennsylvania*, three bids were submitted—one by the Carnegie Steel Co., which is a subsidiary to the United States Steel Co.; one by the Bethlehem Steel Co., of Bethlehem, Pa.; and the third by the Midvale Steel Co., of Philadelphia, Pa. These companies were represented in this city by President Dinkey, of the Carnegie Co.; Vice President Johnston, of the Bethlehem Co.; and Vice President Petrie, of the Midvale Co. These gentlemen all stopped at one of the leading hotels here and were frequently in conference. As a consequence, when the bids were opened it occasioned no surprise to find that the bids did not vary a dollar a ton among these three companies.

When the bids were opened not only was it ascertained that the bids did not vary a dollar a ton among the three companies, pretending to be competitors, but the bids were, in fact, about \$34 per ton higher than the price received for armor plate by these three companies on the last previous contract. On the 28th day of February, 1913, before any of the bids had been ac-

cepted or the contract approved, and when the United States Senate was considering an item in the naval appropriation bill as follows:

Increase of the Navy; armor and armament: Toward the armor and armament for vessels heretofore and herein authorized, to be available until expended, \$11,508,309—

I introduced an amendment to that item in the naval appropriation bill as follows:

Provided, That the Secretary of the Navy shall forward to Congress at the earliest practicable date a full report of all bids received by him relating to the purchase of armor, ship plates, and structural steel for the battleship or dreadnought purposed to be named, when completed, the Pennsylvania; and that the Secretary of the Navy be, and he is hereby, directed not to award any contract for the purchase of steel, armament, armor, or ship plates until further directed by Congress.

I introduced this amendment in view of the apparent collusion of these three companies, which companies, I might add, comprise the Armor Plate Trust, as it certainly seemed inadvisable that the contract should be awarded without some investigation, especially in view of the fact that it requires about three or four years to construct a battleship, and the armor plate for these ships will not be required for nearly a year. It seemed obvious that no harm could come by a delay of a few weeks until the matter could be investigated. But a point of order was made against the amendment I proposed, which point of order was sustained by the then presiding officer.

I do not especially complain about the ruling of the Chair, as I have some doubt as to whether the amendment was cognizable under the rules at that time, and I find no fault with the rule, although in that particular case it happened to defeat a wholesome modification in the proposed law. Notwithstanding the intimation made on the floor of the Senate that there was apparent collusion among the three pretending competitors, and notwithstanding the complaint that the bids were about \$34 per ton higher than the price received for armor plate on the last previous contract, the then Secretary of the Navy, in the expiring hours of a defeated, not to say discredited, administration, accepted the bids, and on the 3d day of March, 1913, let the contract by dividing, for all practical purposes, the 8,000 tons of armor plate among the three companies pretending to be competitors. Without further emphasizing the unexplained and peculiar haste on the part of the retiring Secretary of the Navy to facilitate these companies comprising the Steel Trust, I desire to state that the result of letting such contracts was and is that this Government, if the contract shall be enforced, will be required to pay \$454 per ton for class A armor plate when heretofore this Government has never paid a higher price than \$420 per ton for class A armor plate. But, Mr. President, the apparent collusion among the pretended competitors and the additional \$34 per ton to be paid by this Government for the armor plate are not the only facts relating to that transaction which should be exhibited to the Senate and the country.

Speaking upon this subject in the Senate on May 14, I stated the following: "Our Republican friends on the other side of the aisle have recently fulminated very much and thundered in the index over public hearings, and if they be sincere they will all vote to adopt the resolution I have introduced, so that the American people may see where their money goes. You claim you want 'light.' If you assist in passing this resolution, you will see how the Steel Trust mulcted this Government to the tune of \$1,600,000 in furnishing the armor plate that is to be used in the building of the superdreadnought *Pennsylvania*."

A Senator subsequently said to me that he hoped I would explain just how and in what manner the Public Treasury had been mulcted to the amount of \$1,600,000 with respect to the armor plate for the *Pennsylvania*, and I am sorry to say it is a fact that the armor plate for the *Pennsylvania*, under these bids as accepted by the former Secretary of the Navy, will cost this Government just \$1,600,000 too much, and for the following reasons: The price to be paid by the Government under these contracts is \$454 per ton for 8,000 tons of class A armor plate. I have no funds at my disposal with which to employ experts to ascertain at what precise figure armor plate may be purchased, moreover, the best experts in armor are not to be expected to come before Congress and give their knowledge of the cost of armor plate or to prove the inferiority of armor plate furnished for all or for any battleships, when in so doing they would lose thousands of dollars, would be discharged from their present situations, and could obtain no further employment from large steel manufacturers; but I have obtained information from what I conceive to be a reliable source that if Congress will offer the proper compensation and protection to experts, they are able to and will furnish evidence showing conclusively that this class A armor plate may be manufactured at large profit at the price of \$254 per ton. If this be true, and many persons

believe it can be substantiated, this Government is paying exactly \$200 per ton too much on the 8,000 tons of armor plate to be used in the *Pennsylvania*, which makes an excess of \$1,600,000 that we are paying for the armor plate in this one battleship.

No Senator will forget it is a matter of record that the Carnegie Steel Co. has heretofore furnished defective armor plate, was convicted of defrauding the Government of nearly \$500,000 in an armor-plate contract, and finally compromised the matter by paying, as I remember, about \$160,000 as a penalty for its fraudulent transaction.

Therefore the following deplorable situation is before us: Only three companies in the United States manufacture armor plate, namely, the Carnegie Co., the Bethlehem Co., and the Midvale Co. They pretend to compete, when in truth they are in collusion among themselves. They submit bids for 8,000 tons of armor plate at \$454 per ton—which is \$34 per ton higher than has ever heretofore been paid for such armor plate—when in fact it would be possible to demonstrate that this same armor plate should cost the Government but \$254 per ton. The following figures will be found interesting: Eight thousand tons of armor plate at \$454 per ton equals \$3,632,000; but if this armor plate can be furnished at \$254 per ton, the Government should be paying \$2,032,000 instead of \$3,632,000, which would be a clear saving to the Public Treasury of \$1,600,000 on one ship alone. In addition to the fact that these companies are furnishing armor at an extortionate price there exists also an uncertainty as to how much defective armor has been furnished or is being furnished. There exist grave doubts as to whether these companies have furnished good armor plate to the Government and not armor that will prove treacherous and defective in the time of the Nation's greatest need.

Although the Navy Department some 12 or 14 years ago used considerable care in attempting to conceal the information, it is nevertheless a fact that from certain tests made—which tests were not made voluntarily by the Navy Department, but under pressure from Congress—it was ascertained that armor plate which was supposed to be the heaviest and strongest was destroyed by an outside explosion of a single Gathmann high-explosive shell, and no recognition of the result of such tests was ever definitely or adequately reported to Congress. I therefore make this statement at this time and feel that nothing should preclude my laying these facts before the Senate and before the American people, to the end that the day may soon come when the United States shall not be obliged to submit to the extortions of this grasping Steel Trust, which extends its hungry and larcenous fingers into the Public Treasury and from the people's revenue extracts on one contract alone \$1,600,000; and even then no man knows whether these companies furnish sound armor plate or defective armor plate.

I see around me Senators earnest and honest in trying to perform their public duties. They observe, as they should, every item in an appropriation bill. I had the pleasure recently to serve on one of the great committees of the Senate (I will not relate what occurred before the committee, because that is against the rules) where Senators closely scrutinized every item in an appropriation bill. That was proper and as it should be; but why not chase large game also? Why scrutinize the salary of some overworked and underpaid postal employee and ignore the fact that a defeated administration in its last hours, over protest and with what I might characterize as suspicious haste, executed a contract on the 3d of March which provides that this Government should pay \$454 per ton for class A armor plate when the Government, beyond doubt, could manufacture its own armor plate at about \$254 per ton, and, in addition thereto, know that there was no defective material in these great ships, which, eastward and westward with sheen of crystal mail, we send forth upon the ocean to guard well the gleaming strand of this, our native land? I have laid these facts before the Senate in the hope that they might attract attention to the advisability of the Government making its own armor plate and thus be relieved from the extortions and larcenies of this Steel Trust.

Mr. THOMAS. Mr. President—

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Colorado?

Mr. ASHURST. I am just about to conclude. I hold the floor only by virtue of the kindness of the Senator from Georgia [Mr. BACON], and I feel that I can not yield to anyone so long as I hold the floor by his kindness.

The VICE PRESIDENT. May the Chair inquire whether the Senator desires the resolution to lie on the table or to be referred?

Mr. ASHURST. Mr. President, I can not at this moment ask for the adoption of the resolution, because it has always been my training never to ask for action on a proceeding, motion, or

any other matter to which there is objection unless the persons making the objections are present. Observing that the Senator who made the objection the other day is not in his seat at this particular time, I do not ask for the adoption of the resolution. Moreover, I can not ask for action on the resolution at this time, for I obtained the floor upon the understanding that I would not ask for the adoption of the resolution this evening.

Mr. SMOOT. The Senator still wants the resolution to lie on the table?

Mr. ASHURST. I should like to have it lie on the table. And I now give notice that at the earliest opportunity I may secure the floor properly under the rules I shall ask for the adoption of this resolution.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened and (at 6 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, May 19, 1913, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate May 16, 1913.

COLLECTOR OF INTERNAL REVENUE.

Samuel A. Hays, of West Virginia, to be collector of internal revenue for the district of West Virginia, in place of George E. Work, superseded.

DEPUTY COMMISSIONER, BUREAU OF FISHERIES.

Ernest Lester Jones, of Virginia, to be Deputy Commissioner in the Bureau of Fisheries, Department of Commerce, vice H. M. Smith, appointed Commissioner of Fish and Fisheries.

UNITED STATES CIRCUIT JUDGE.

George Hutchins Bingham, of New Hampshire, to be United States circuit judge for the first judicial circuit, vice Le Baron B. Colt, resigned.

UNITED STATES ATTORNEY.

D. Hayden Linebaugh, of Oklahoma, to be United States attorney for the eastern district of Oklahoma, vice William J. Gregg, whose term has expired.

APPOINTMENTS, BY TRANSFER, IN THE ARMY.

Second Lieut. Burton Y. Read, Eleventh Infantry, to be second lieutenant of Cavalry, with rank from November 30, 1912.

Second Lieut. William T. Pigott, jr., Second Cavalry, to be second lieutenant of Infantry, with rank from November 30, 1912.

PROMOTION IN THE ARMY.

CAVALRY ARM.

Second Lieut. Alexander H. Jones, Thirteenth Cavalry, to be first lieutenant from May 10, 1913, vice First Lieut. Harry L. King, Third Cavalry, detached from his proper command.

POSTMASTERS.

ALABAMA.

Green E. Bankhead to be postmaster at Sulligent, Ala. Office became presidential October 1, 1912.

Mary Eugenia Cain to be postmaster at Wetumpka, Ala., in place of Spencer J. McMorris. Incumbent's commission expired February 27, 1912.

William E. Crawford to be postmaster at Decatur, Ala., in place of William Moseley. Incumbent's commission expired February 1, 1910.

J. B. Sinsquefield to be postmaster at Lockhart, Ala., in place of Robert H. Trammell. Incumbent's commission expired December 16, 1912.

John R. McCain to be postmaster at Lineville, Ala. Office became presidential January 1, 1908.

Hamilton B. Ralls to be postmaster at Piedmont, Ala., in place of Charley N. Thompson. Incumbent's commission expired December 16, 1912.

ARKANSAS.

Flora A. Hall to be postmaster at Pocahontas, Ark., in place of Mrs. L. H. Hall, to correct name.

Earl Harrison to be postmaster at Beebe, Ark., in place of T. J. Camp, resigned.

P. G. Henry to be postmaster at Texarkana, Ark., in place of Lyman S. Roach. Incumbent's commission expired March 8, 1913.

N. H. Mitchell to be postmaster at Gentry, Ark., in place of Martin S. Lefors, resigned.

Eduard Screeton to be postmaster at Hazen, Ark., in place of Charles H. Tisdale. Incumbent's commission expired January 28, 1913.

CALIFORNIA.

Thomas Fox to be postmaster at Sacramento, Cal., in place of Robert M. Richardson, resigned.

CONNECTICUT.

Harry W. Potter to be postmaster at Glastonbury, Conn., in place of William E. Gates. Incumbent's commission expired January 20, 1913.

Ashmun P. Prickett to be postmaster at Hazardville, Conn., in place of William A. Smith. Incumbent's commission expired March 1, 1913.

FLORIDA.

P. S. Coggins to be postmaster at Madison, Fla., in place of James A. Zipperer. Incumbent's commission expired March 2, 1913.

Samuel J. Giles to be postmaster at Carrabelle, Fla., in place of Samuel J. Giles. Incumbent's commission expired February 9, 1913.

William R. Roesch to be postmaster at Eau Gallie, Fla. Office became presidential January 1, 1913.

Eva R. Vaughn to be postmaster at Century, Fla. Office became presidential April 1, 1913.

GEORGIA.

James Park Bowie to be postmaster at Rome, Ga., in place of John R. Barclay. Incumbent's commission expired January 27, 1913.

Fannie T. Elmore to be postmaster at Oglethorpe, Ga., in place of Thomas M. Scovill. Incumbent's commission expired January 27, 1913.

Richard E. Lee to be postmaster at Concord, Ga. Office became presidential January 1, 1913.

Merida L. Moore to be postmaster at Bowdon, Ga. Office became presidential January 1, 1913.

R. B. Moore to be postmaster at Milledgeville, Ga., in place of James L. Sibley. Incumbent's commission expired February 2, 1913.

William L. Watterson to be postmaster at Jonesboro, Ga. Office became presidential July 1, 1912.

IDAHO.

L. A. Wisener to be postmaster at Grangeville, Idaho, in place of Nettie B. Carpenter. Incumbent's commission expired December 17, 1912.

ILLINOIS.

William F. Hagebusch to be postmaster at Okawville, Ill., in place of George F. Tacharner. Incumbent's commission expired April 8, 1913.

Harry Holland to be postmaster at Marion, Ill., in place of Henry G. Jones. Incumbent's commission expired December 14, 1912.

George Kirkbride to be postmaster at Vermont, Ill., in place of Henry C. Bogue. Incumbent's commission expired December 14, 1912.

J. P. McPherrren to be postmaster at Homer, Ill., in place of Moses C. Thomas, deceased.

H. Poffenberger to be postmaster at Freeport, Ill., in place of Smith D. Atkins, deceased.

B. E. Prater to be postmaster at Cowden, Ill., in place of Edward Cosart. Incumbent's commission expired January 11, 1913.

George Reuss to be postmaster at Bethany, Ill., in place of Leander W. Niles. Incumbent's commission expired January 14, 1913.

O. Cammie Seeders to be postmaster at Palestine, Ill., in place of Harry K. Alexander. Incumbent's commission expired March 24, 1912.

J. H. Sipe to be postmaster at Tremont, Ill., in place of Jacob W. Barkdoll. Incumbent's commission expired January 11, 1913.

INDIANA.

Oscar H. Cravens to be postmaster at Bloomington, Ind., in place of Walter Bradfute, resigned.

James M. Driver to be postmaster at Arcadia, Ind., in place of W. G. Pettijohn. Incumbent's commission expired January 25, 1913.

William B. Fox to be postmaster at South Whitley, Ind., in place of Cash M. Graham. Incumbent's commission expired February 12, 1911.

Adolph H. Martin to be postmaster at Newburg, Ind., in place of Herman Schumacher. Incumbent's commission expired February 1, 1913.

John L. Roblyer to be postmaster at Flora, Ind., in place of Louis T. Bell, resigned.

Atwell J. Shriner to be postmaster at Brookville, Ind., in place of John H. Kimble. Incumbent's commission expired March 3, 1913.

James A. Terry to be postmaster at Laporte, Ind., in place of Phineas O. Small. Incumbent's commission expired December 17, 1912.

Ira M. Whitaker to be postmaster at Morgantown, Ind. Office became presidential January 1, 1913.

Garland D. Williamson to be postmaster at Ridgeville, Ind., in place of Russell W. Addington. Incumbent's commission expired April 26, 1913.

IOWA.

George O. Booth to be postmaster at Prescott, Iowa, in place of Clinton S. Grouse. Incumbent's commission expired January 11, 1913.

John J. Donahoe to be postmaster at Gilmore City, Iowa, in place of Frank J. Tishenbanner. Incumbent's commission expired December 14, 1912.

E. F. Gauthier to be postmaster at Corning, Iowa, in place of Henry E. Westrope. Incumbent's commission expires June 9, 1913.

H. G. Kruse to be postmaster at Vinton, Iowa, in place of Hays H. McElroy. Incumbent's commission expired January 14, 1913.

Edward J. Mitchell to be postmaster at Graettinger, Iowa. Office became presidential January 1, 1912.

Clint L. Price to be postmaster at Indianola, Iowa, in place of L. H. Surber. Incumbent's commission expired December 14, 1912.

George M. Waterman to be postmaster at Sidney, Iowa, in place of Eugene Stiles. Incumbent's commission expired January 11, 1913.

KANSAS.

Elmer E. Dye to be postmaster at Logan, Kans., in place of Floyd E. Richmond. Incumbent's commission expired January 11, 1913.

Robert V. Grattan to be postmaster at Burden, Kans., in place of Eli A. Baum. Incumbent's commission expired December 17, 1912.

Emma L. Hoopman to be postmaster at Lucas, Kans., in place of Allen C. Carson. Incumbent's commission expired February 9, 1913.

A. C. Hopper to be postmaster at Pratt, Kans., in place of John K. Cochran, deceased.

A. E. Jacques to be postmaster at Wichita, Kans., in place of William C. Edwards. Incumbent's commission expired January 21, 1912.

Timothy Sexton to be postmaster at Augusta, Kans., in place of Charles W. Hawes. Incumbent's commission expired January 11, 1913.

William Walker, jr., to be postmaster at Goodland, Kans., in place of Gertrude Stevens. Incumbent's commission expired February 20, 1913.

KENTUCKY.

John H. Grimes to be postmaster at Harrodsburg, Ky., in place of James P. Spilman. Incumbent's commission expired February 7, 1911.

J. M. Richardson to be postmaster at Glasgow, Ky., in place of William H. Jones. Incumbent's commission expired February 9, 1913.

LOUISIANA.

Joseph Abadie to be postmaster at Rayne, La., in place of Charles W. Lyman. Incumbent's commission expired April 9, 1913.

Wilfred Gulgon to be postmaster at Donaldsonville, La., in place of John J. Lafargue. Incumbent's commission expired January 20, 1913.

Charles Manning to be postmaster at Cheneyville, La. Office became presidential January 1, 1913.

H. H. Sample to be postmaster at Lecompte, La., in place of Francis S. Norfleet. Incumbent's commission expired January 20, 1913.

MAINE.

Ned W. Coombs to be postmaster at Castine, Me., in place of Charles H. Hooper, deceased.

Irene Cyr to be postmaster at Fort Kent, Me., in place of Frank W. Mallett. Incumbent's commission expired December 14, 1912.

Reuben A. Huse to be postmaster at Kingfield, Me. Office became presidential January 1, 1913.

Milford A. Waite to be postmaster at Canton, Me. Office became presidential October 1, 1912.

MASSACHUSETTS.

Walter E. Clarkin to be postmaster at Foxboro, Mass., in place of Charles W. Bemis. Incumbent's commission expired January 26, 1913.

John J. Haverly to be postmaster at Canton, Mass., in place of Francis D. Dunbar. Incumbent's commission expired February 9, 1913.

MICHIGAN.

Russell A. Lee to be postmaster at Harbor Springs, Mich., in place of R. F. Lemon. Incumbent's commission expired January 11, 1913.

MINNESOTA.

Harvey Hildebrand to be postmaster at Lyle, Minn., in place of Burton J. Robertson, resigned.

A. J. Lovestrom to be postmaster at Stephen, Minn., in place of John F. Lundin. Incumbent's commission expired January 12, 1913.

Fred Von Ohlen to be postmaster at Henning, Minn., in place of Iver Bondy. Incumbent's commission expired January 11, 1913.

George H. Smith to be postmaster at Excelsior, Minn., in place of Frank E. Bardwell. Incumbent's commission expired January 14, 1913.

O. C. Vaaler to be postmaster at Spring Grove, Minn., in place of Ole B. Tone. Incumbent's commission expired January 23, 1912.

MISSOURI.

Wilbur E. Austin to be postmaster at Trenton, Mo., in place of Benjamin C. Nichols. Incumbent's commission expired January 11, 1913.

Lant Campbell to be postmaster at Princeton, Mo., in place of William P. Brown, deceased.

J. B. Davis to be postmaster at Schell City, Mo. Office became presidential October 1, 1912.

Edgar Jones to be postmaster at Frankford, Mo., in place of Leonard D. Kennedy. Incumbent's commission expired January 26, 1913.

Alfred H. Long to be postmaster at Festus, Mo., in place of William E. Osterwald. Incumbent's commission expired March 10, 1912.

Robert M. Morton to be postmaster at Green Castle, Mo. Office became presidential January 1, 1912.

Roscoe C. Murphy to be postmaster at St. Clair, Mo., in place of James S. Weldon, resigned.

John S. Smith to be postmaster at Eldorado Springs, Mo., in place of A. H. Doermann. Incumbent's commission expired March 2, 1913.

Francis Elmer Thurston to be postmaster at Knobnoster, Mo., in place of Jennie A. Mahan. Incumbent's commission expired May 15, 1912.

MONTANA.

J. S. Kelly to be postmaster at Kendall, Mont., in place of Lottie M. Conyngham, resigned.

NEW YORK.

Edward Blackwell to be postmaster at Pearl River, N. Y., in place of William A. Serven. Incumbent's commission expired January 18, 1913.

John H. Bullock to be postmaster at Cohoes, N. Y., in place of William B. Le Roy, removed.

Harry M. Fisher to be postmaster at Nannet, N. Y., in place of William Hutton, jr., resigned.

Willis H. Hawkins to be postmaster at Bellport, N. Y., in place of Henry E. Corwin. Incumbent's commission expired December 16, 1912.

Robert B. Irwin to be postmaster at Nichols, N. Y., in place of William H. Clark. Incumbent's commission expired December 16, 1912.

Albert B. Taylor to be postmaster at Hunter, N. Y., in place of Horace B. Fromer. Incumbent's commission expired February 9, 1913.

NORTH CAROLINA.

P. J. Caudell to be postmaster at St. Pauls, N. C. Office became presidential April 1, 1913.

Howard C. Curtis to be postmaster at Southport, N. C., in place of Robert W. Davis, resigned.

William H. Etheredge to be postmaster at Selma, N. C., in place of Ann Z. Pearce. Incumbent's commission expired February 7, 1910.

Hector McL. Green to be postmaster at Wilmington, N. C., in place of Thomas E. Wallace. Incumbent's commission expired February 27, 1912.

John L. Gwaltney to be postmaster at Taylorsville, N. C. Office became presidential April 1, 1912.

W. C. Hall to be postmaster at Black Mountain, N. C. Office became presidential July 1, 1912.

W. D. Pethel to be postmaster at Spencer, N. C., in place of J. Rufus Dorsett, resigned.

Plato C. Rollins to be postmaster at Rutherfordton, N. C., in place of Thomas C. Smith. Incumbent's commission expired April 28, 1912.

Mrs. Nettie G. Rowland to be postmaster at West Raleigh, N. C. Office became presidential January 1, 1911.

Joseph S. Stallings to be postmaster at Spring Hope, N. C., in place of Mack Brantley, deceased.

W. H. Stearns to be postmaster at Tryon, N. C., in place of Eugene Brownlee. Incumbent's commission expired January 28, 1912.

Duncan L. Webster to be postmaster at Siler City, N. C., in place of Lossing L. Wrenn. Incumbent's commission expired February 9, 1913.

C. W. Whitehurst to be postmaster at Beaufort, N. C., in place of William A. Mace. Incumbent's commission expired December 19, 1910.

Lee H. Yarborough to be postmaster at Clayton, N. C., in place of Zach Stephenson. Incumbent's commission expired January 13, 1913.

OHIO.

Solomon C. Allison to be postmaster at Ashville, Ohio, in place of James H. Long. Incumbent's commission expired February 9, 1913.

Frank T. Campbell to be postmaster at Marion, Ohio, in place of Milton B. Dickerson. Incumbent's commission expired February 10, 1913.

W. W. Daniels to be postmaster at Leroy, Ohio. Office became presidential January 1, 1913.

Stewart D. Hazlett to be postmaster at Ada, Ohio, in place of Walter Elliott. Incumbent's commission expired January 26, 1913.

Henry W. W. Spargur to be postmaster at Bainbridge, Ohio, in place of William C. Newell. Incumbent's commission expired December 17, 1912.

John E. Taylor to be postmaster at Crooksville, Ohio, in place of Granville W. Springer. Incumbent's commission expired January 27, 1913.

Benjamin G. Trew to be postmaster at Shawnee, Ohio, in place of Gomer C. Davis. Incumbent's commission expired January 27, 1913.

W. F. Uhle to be postmaster at Attica, Ohio, in place of Alva G. Sutton. Incumbent's commission expires June 22, 1913.

C. A. Weidaw to be postmaster at Bloomville, Ohio, in place of Frank A. Chatfield. Incumbent's commission expires June 14, 1913.

Harmon Wensinger to be postmaster at Fremont, Ohio, in place of G. A. Gessner. Incumbent's commission expired February 9, 1913.

OKLAHOMA.

Samuel C. Campbell to be postmaster at Enid, Okla., in place of E. Everett Purcell, removed.

Milton B. Cope to be postmaster at El Reno, Okla., in place of Charles G. Wattson. Incumbent's commission expired June 28, 1910.

W. M. Davis to be postmaster at Okemah, Okla., in place of Peter J. Becker, resigned.

L. D. Flint to be postmaster at Fairland, Okla. Office became presidential October 1, 1912.

Hattie Gore to be postmaster at Nowata, Okla., in place of Frank McCartney, removed.

Ira B. McCrary to be postmaster at Dewey, Okla., in place of James M. Lusk, resigned.

OREGON.

L. R. Van Winkle to be postmaster at Weston, Oreg., in place of Merritt A. Baker. Incumbent's commission expired January 20, 1913.

PENNSYLVANIA.

William S. Clegg to be postmaster at New Bloomfield, Pa., in place of A. B. Grosh. Incumbent's commission expired February 9, 1913.

H. E. Petrie to be postmaster at Greencastle, Pa., in place of Elmer D. Carl. Incumbent's commission expired January 13, 1913.

John T. Slattery to be postmaster at Port Carbon, Pa. Office became presidential October 1, 1912.

SOUTH DAKOTA.

Mary Brennan to be postmaster at Lake Preston, S. Dak., in place of Lyman J. Bates. Incumbent's commission expired April 9, 1913.

TEXAS.

W. J. Beck to be postmaster at Kaufman, Tex., in place of Robert H. Armstrong. Incumbent's commission expired April 28, 1912.

James G. Burleson to be postmaster at Lockhart, Tex., in place of Maurice C. Kelly. Incumbent's commission expired April 9, 1913.

W. H. Clement to be postmaster at Palacios, Tex., in place of Christian Doss. Incumbent's commission expired December 16, 1912.

E. L. Correll to be postmaster at El Campo, Tex., in place of Carl E. Ericson, resigned.

W. D. Daniel to be postmaster at Hughes Springs, Tex., in place of John J. Bartlett. Incumbent's commission expired April 28, 1912.

S. M. Davis to be postmaster at Nocona, Tex., in place of William N. Merritt, resigned.

S. G. Dean to be postmaster at Haskell, Tex., in place of John B. Baker. Incumbent's commission expired April 2, 1912.

A. M. Gosch to be postmaster at Flatonia, Tex., in place of Fred W. Laux. Incumbent's commission expired April 21, 1912.

S. J. Holchak, jr., to be postmaster at Runge, Tex., in place of Rudolph L. Reuser. Incumbent's commission expired April 28, 1912.

Mrs. W. F. Holmes to be postmaster at Jasper, Tex. Office became presidential January 1, 1911.

A. S. Jarvis to be postmaster at Troupe, Tex., in place of James A. Butler. Incumbent's commission expired December 16, 1911.

R. H. King to be postmaster at Alvin, Tex., in place of Marion S. French. Incumbent's commission expired April 28, 1912.

Nora Lemmon to be postmaster at Garland, Tex., in place of George W. Crossman. Incumbent's commission expired March 29, 1913.

R. A. Motley to be postmaster at Overton, Tex. Office became presidential January 1, 1912.

J. M. Price to be postmaster at San Augustine, Tex., in place of Lafayette Sharp. Incumbent's commission expired March 1, 1913.

G. H. Riddle to be postmaster at Omaha, Tex. Office became presidential January 1, 1912.

E. P. Shands to be postmaster at Mesquite, Tex., in place of Americus C. Nafus, removed.

Billie W. Simmons to be postmaster at Mexia, Tex., in place of Isidore Newman. Incumbent's commission expired April 20, 1913.

William S. Strain to be postmaster at Lancaster, Tex., in place of William S. Strain. Incumbent's commission expired February 11, 1913.

C. Herbert Walker to be postmaster at Dalhart, Tex., in place of Wesley J. Clarke, resigned.

B. Wildenthal, jr., to be postmaster at Cotulla, Tex., in place of Caroline Cotulla, deceased.

Joseph E. Woods to be postmaster at Teague, Tex., in place of J. Wed Davis. Incumbent's commission expired May 23, 1912.

VERMONT.

Allan T. Calhoun to be postmaster at Middlebury, Vt., in place of Lewis A. Skiff. Incumbent's commission expired January 22, 1913.

Robert J. Orvis to be postmaster at Manchester, Vt., in place of David K. Simonds. Incumbent's commission expired January 11, 1913.

WASHINGTON.

Edgar Battle to be postmaster at Seattle, Wash., in place of George F. Russell. Incumbent's commission expired December 9, 1912.

WISCONSIN.

William E. Cavanaugh to be postmaster at Berlin, Wis., in place of Thomas McKinney. Incumbent's commission expired December 12, 1911.

William R. Stephan to be postmaster at Sawyer, Wis., in place of Erik N. Anderson. Incumbent's commission expired December 12, 1911.

HOUSE OF REPRESENTATIVES.

FRIDAY, May 16, 1913.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, everywhere present, working in and through the hearts of men, grant that we may ever be in a receptive mood, that the kingdom of heaven may be ours to enjoy, to advance, the goal of which is perfection for the individual, the race; that evil may depart that good may triumph, and Thy will be done on earth as it is in heaven. For Thine is the kingdom, and the power, and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes; had further insisted upon its amendment No. 2, disagreed to by the House of Representatives; had asked a further conference with the House on the disagreeing votes of the two Houses thereon; and had appointed Mr. MARTIN of Virginia, Mr. OVERMAN, and Mr. WARREN as the conferees on the part of the Senate.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I call up the conference report on the sundry civil appropriation bill.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] calls up the conference report on the sundry civil bill. Does the gentleman desire the report to be read or the statement?

Mr. FITZGERALD. Both. They are very short.

The SPEAKER. Without objection, the Clerk will read both the report and the statement.

There was no objection.

The conference report and accompanying statement are as follows:

CONFERENCE REPORT (NO. 17).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

The committee of conference have been unable to agree on amendment numbered 2.

JOHN J. FITZGERALD,
SWAGAR SHERLEY,
FREDK. H. GILLET,
Managers on the part of the House.

THOMAS S. MARTIN,
LEE S. OVERMAN,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT OF MANAGERS ON THE PART OF THE HOUSE.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H. R. 2441) making appropriations for sundry civil expenses of the Government for the fiscal year 1914, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

On amendment No. 1: Makes a verbal correction in the bill.

On amendment No. 3: Restores the title "Department of Commerce and Labor," as proposed by the House.

On amendment No. 2: Relating to the Board of Managers for the National Home for Disabled Volunteer Soldiers, the committee of conference have been unable to agree.

JOHN J. FITZGERALD,
SWAGAR SHERLEY,
FREDK. H. GILLET,
Managers on the part of the House.

Mr. FITZGERALD. Mr. Speaker, I ask for a vote on the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. FITZGERALD. Mr. Speaker, I ask that the Clerk report Senate amendment No. 2.

The SPEAKER. The Chair would inquire if a complete agreement was reached, excepting the one amendment?

Mr. FITZGERALD. Yes; except the amendment No. 2.

The SPEAKER. The Clerk will report Senate amendment No. 2.

The Clerk read as follows:

Hereafter vacancies occurring in the membership of the Board of Managers of the National Home for Disabled Volunteer Soldiers shall not be filled until the whole number of members of such board is reduced to five, and thereafter the number of members constituting said board shall not exceed five.

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist on its disagreement with the Senate amendment.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] moves that the House further insist on its disagreement with the Senate amendment. The question is on agreeing to that motion.

Mr. HINDS. Mr. Speaker, I would like to move to recede and concur.

The SPEAKER. The gentleman from Maine [Mr. HINDS] makes the preferential motion to recede and concur.

Mr. FITZGERALD. Mr. Speaker, how much time does the gentleman desire?

Mr. HINDS. About three minutes.

Mr. FITZGERALD. I yield five minutes to the gentleman.

The SPEAKER. The gentleman from Maine [Mr. HINDS] is recognized for five minutes.

Mr. HINDS. In moving to concur in the Senate amendment I desire to present the views of the veterans who are living in the homes and also their friends among the Grand Army and others who are interested in them. One of these homes is located in Maine, and the department commander of the Grand Army of that State has protested against the change of management.

The management of the various branches of the soldiers' home has been successful, and, what is more, they have been real homes for the unfortunate veterans who have no other homes. When the misfortunes of those veterans who have been obliged to go to the homes are considered, the management has been wonderfully successful. With officials chosen from their own comrades, with an organization analogous to that of the volunteer army of which they were a part, they are now at the close of a career of usefulness which, in the nature of things, can not now last more than a few years. Such being the case, why can not the organization still continue with the local control and the local sympathy? It is not demonstrated that a change in the number of managers will induce greater efficiency, and it is certain to lessen the sympathy between the inmates and the organization.

Speaking especially for the soldiers of the Augusta Home, it may be said that the manager is a distinguished volunteer officer who went out in 1861 and served through the war. His associates are of the same distinguished class. They know their more unfortunate comrades, have sympathy with them, and a desire to so manage the homes that the last years of the inmates may be as happy and peaceful as possible. Therefore I hope that the amendment of the Senate will be concurred in.

Mr. GOULDEN. Mr. Speaker, I would like to ask my colleague, the chairman of the committee, just what the contention is between the Senate and the House upon this proposed amendment?

Mr. FITZGERALD. The Senate has stricken out the provision.

Mr. GOULDEN. What is the present provision that exists now in the law? How many men are provided for?

Mr. FITZGERALD. Mr. Speaker, there are at present 11 managers of the Soldiers' Home.

Under the statute one of them must be a resident of a State or Territory west of the Rocky Mountains. They are elected by Congress. They must be citizens of the United States, and all must be residents of States which furnished organized bodies of soldiers to the Government in the Civil War commencing in 1861, and no two of them shall be residents of the same State. No person who gave aid or countenance to the rebellion shall ever be eligible. The term of each of these managers is six years, or until a successor is elected.

Mr. GOULDEN. As I understand, no salaries are paid except to the president and treasurer.

Mr. HAY. Only to the secretary-treasurer. The president does not receive any salary.

Mr. GOULDEN. The only one who receives a salary is the secretary-treasurer?

Mr. HAY. Yes.

Mr. MANN. May I urge gentlemen to talk loudly enough so that they may be heard 10 or 20 feet away? We could not hear what has been taking place over there. I suppose it is in reference to this conference report.

Mr. GOULDEN. Could not the gentleman hear me?

Mr. MANN. No. I always like to hear the gentleman.

Mr. GOULDEN. Thank you.

Mr. FITZGERALD. Mr. Speaker, the Board of Managers of the National Soldiers' Homes consists of 11 members.

Mr. MANN. That is under the law, but not in fact now.

Mr. FITZGERALD. Yes; in fact.

Mr. MANN. I think we have not filled the last vacancy or two.

Mr. FITZGERALD. There are three expired terms, but under the law the members hold on until their successors are qualified.

Mr. MANN. I did not know that.

Mr. FITZGERALD. I just read it.

Mr. MANN. That was one of the things we could not hear.

Mr. FITZGERALD. The term of office of these managers shall be for six years, or until a successor is elected. The terms of three of them expired in 1912. Their successors have not been elected.

Mr. Speaker, there are 10 branches of the National Soldiers' Home, and under the arrangement that has existed up to this time one of the members of the board is chosen president, and one member of the board is assigned as a local manager for each branch. The result is that in the administration of the affairs of these various homes there is practically no board action. The manager assigned to a particular home presents in the meeting of the board the matters affecting the home to which he is assigned, and it is very rarely that any action is taken adverse to his recommendation; so that instead of the benefits of board action there is practically a manager elected for each home, and his administration is not controlled by the other members.

Within the past few years there has been some complaint of the management of the homes. There has been complaint at times of the character of the food and of the treatment accorded to the members of the homes. After investigations covering several years the House finally, upon the recommendation of the Committee on Appropriations, several times adopted a provision providing for a reduction in the size of the board, so that there would no longer be that local attachment or sentiment about each member and so the board might conduct its affairs in a more businesslike manner.

In the first session of the last Congress the House adopted such a provision, but because of the vacancies that were about taking place in 1912 the Senate refused to agree to the provisions.

In the sundry civil bill as it passed Congress in the last session this provision was inserted in the House, and the Senate agreed to it, and it was in the bill when it went to the President. It now appears, however, that there will be four vacancies in 1914, and there is on the part of those whose terms will expire at that time some opposition to this provision going into effect. The provision will not affect the election of successors in the place of those whose terms expired three years ago, three in number, but it will eliminate four places the vacancies in which will exist in 1914.

I have no personal interest in anybody who is on the board or who desires to be on the board; but, as a result of the investigations that have been made into the administration of the homes, investigations connected with the estimates for the money required for the homes, I was convinced and I am still convinced that in the interest of good administration and in the interest of the old soldiers themselves who are the beneficiaries of the maintenance of these institutions, that it is very desirable to reduce the membership of this board.

The time is very near at hand when some of these branches must be discontinued. The question to be thrashed out in the board will be one that will not be easy. It will be somewhat difficult to decide as to the particular branches that must be abandoned first. If the board is to continue with each home having a representative, it will be very difficult to have such action taken as will represent the very best thing that should be done, while if a board is so constituted that no one member can be said to speak for any particular branch, then, in the interest of the old soldiers, when the homes must be aban-

doned and transfers made, it is quite likely that the ones abandoned first will be those which are most undesirable or least suited for the purposes of the homes.

Mr. GOULDEN. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. GOULDEN. What are the expenses in connection with the various managers? Do they travel from time to time to their respective homes and supervise and look after the homes—take an interest in them personally? If so, at whose expense, and about what is that expense?

Mr. FITZGERALD. I do not recall. I do not think the expense attached to the maintenance of the board of 11 members is of such a character that it makes any difference at all. There are some traveling expenses, but the amount is not sufficiently large to make it a matter to be considered in determining what should be done.

Mr. GOULDEN. If my colleague will permit a statement, as one of the managers of the New York State Soldiers and Sailors' Homes I will say that our members have been diminishing very rapidly. Two years ago we had 2,250, and now we are down to 1,600, and the death rate is such that it is only a question at the outside of about 10 years when the home will have to be turned over to other purposes. So, I take it that the position assumed by the gentleman from New York [Mr. FITZGERALD] is the correct one, that we must sooner or later abolish or combine some of these homes.

Mr. FITZGERALD. There is an additional reason why the population of the various branches will be reduced other than because of the excessive death rate, and that is the belief that as a result of the pension legislation which was enacted recently many men who otherwise would have remained in the homes will now be able to remain outside. That has been stated frequently, and that is the belief.

Mr. GOULDEN. Mr. Speaker, that has not had the material effect that we expected or anticipated. It has had some, but very much less than was expected at the time the Sherwood bill was passed.

Mr. SLOAN. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. SLOAN. Has the gentleman any information as to whether there has been a general decrease in these several homes, speaking collectively, during the last five years?

Mr. FITZGERALD. I do not recall the figures. I do not recall just at present whether there has been an increase or a decrease. It has varied. A year or two ago I believe the population ran up very high. I have not looked the matter up recently with sufficient care to be able to make an accurate statement.

Mr. SLOAN. In the progress of the government of the home, has the work in supervising these homes been materially reduced so that 5 men can do as well as 10 or 11?

Mr. FITZGERALD. The conviction of the members of the committee who looked into the matter is that they will do better.

Mr. SLOAN. Has the plan heretofore been that these several members have had charge or oversight of the particular institutions somewhere near their own residences?

Mr. FITZGERALD. That has been the policy.

Mr. SLOAN. One of the effects of this change would be to isolate the membership somewhat from the institutions?

Mr. FITZGERALD. One of the differences would be that instead of having 1 man responsible, and his judgment accepted by the other 10, 5 members would all feel sufficiently responsible themselves to be informed regarding each home, and each would thus exercise his own judgment in disposing of the business connected with it.

Mr. SLOAN. Has the board itself made any recommendation as to the reduction of its own membership?

Mr. FITZGERALD. I think the board itself adopted resolutions recently opposing this change, but they were not unanimously adopted. The president of the board has been in favor of the change. Last year, if I recall, Mr. Cox, of Ohio, took considerable interest in the Dayton Home, in his own town. He made a number of speeches about it both in the last Congress and in the previous one. During the examinations about this matter, Mr. Wadsworth, the president of the board, was before the Committee on Appropriations, and Mr. Cox examined Mr. Wadsworth as follows:

Mr. Cox. The question I am going to ask you may be outside of the scope of this hearing, but inasmuch as it affects the administration of the homes I think it is proper. I would like for you to state to the committee, if you will, your opinion as to what should be the size of the board.

Mr. WADSWORTH. Looking at it from a business point of view, it is entirely too large.

Mr. Cox. From my observation, and I have given some little attention, at least, to the administration of the homes, I think that a mistake has been made in designating some man as the resident manager.

Mr. WADSWORTH. There is no provision in the law for a "local manager."

Mr. COX (interposing). As a result of that, might not this condition exist? You might have an incompetent governor; you might have a pretty general condition of inefficiency in one of the branches, and yet, because of this "senatorial" courtesy, the board might not make the changes which, in the opinion and judgment of the board, ought to be made.

Mr. WADSWORTH. I think that has been the case.

Mr. COX. How large ought the board to be, in your opinion?

Mr. WADSWORTH. It should consist of six members, and no more. They should elect their president, and then there would be five members on the floor, so to speak.

Mr. COX. That would remove all local considerations?

Mr. WADSWORTH. Yes, sir.

Mr. COX. And that would not operate to the detriment of the board?

Mr. WADSWORTH. That is my own individual judgment, and I think several members of the board concur in that view also.

That is one statement that has been made. At different times others of a somewhat similar character have been made. The committee was convinced, as a result of the hearings upon the various items, that the board should be reduced in the interest of efficient administration.

Mr. LOBECK. I have been informed that these local men, situated in the different localities throughout the country, are very convenient for the old soldier who would make application to go to these homes in that he would get his reply that much sooner, the local man being in the neighborhood where these homes are.

Mr. FITZGERALD. Oh, there is nothing in that at all. The old soldiers are scattered all through the United States, and there is no particular advantage in writing to a man, for instance, in St. Louis rather than Chicago, in making their applications. That same argument was used against the abolishment of the pension agencies and the payment of pensions from Washington, and nobody gives it serious consideration.

Mr. LOBECK. There has been some complaint of that out in our direction.

Mr. FITZGERALD. I think that is one of the reasons suggested, yet, in my opinion, it is of no importance, because if a man is located in a town 25 miles away from the place where the application is to be made it makes little difference whether he is 500 miles away. The application would probably be by mail.

Mr. MCGILLICUDDY. Mr. Speaker, will the gentleman yield me some time?

Mr. FITZGERALD. I yield the gentleman five minutes.

Mr. MCGILLICUDDY. Mr. Speaker, one of these homes is located in my State. It covers not only the people of my State but the people of all New England, and our people are very deeply interested in this proposition. As I look at it, there is no economy in cutting down the membership of this board from 11 to 5. The members of the board get no salary whatever, outside of the president and treasurer, who would be retained with the smaller board, consequently there would be no economy in cutting down the board from 11 to 5. There would be no economy even in the matter of traveling expenses. Eleven men now constitute the board, and one man is located in the vicinity of each of these boards and in close communication with the home, so that his travel is very small, and if five men, under the proposed management, have to travel all about the country, of course it is very easy to see that their travel will more than exceed that of 11 men, as the board is now composed. Now, the old soldiers are very much interested in this matter. It is true, of course, that in time these homes will have to be abolished, but I beg to say to the gentleman from New York [Mr. FITZGERALD] that that time has not yet arrived. The old soldiers in the home in my State now practically approach 2,000. They love that home as much as you and I love our homes. All of the association in the world that appeals to the heart and the memory of the old soldier is located in that home, the only home he has got on the face of this earth, and I say it is too early now to give them notice to quit or evict them from the place where they have so long lived.

Now, under the present arrangement each home has a local manager, a man who is in direct sympathy with the inmates of each home, a man who will lend a sympathetic eye to their condition and a sympathetic ear to their appeals for justice and relief in case of suffering. Remove that man from them and then they have to appeal to a distant board and not to one of their own comrades who is in direct communication with them. Now, I have in my hand some letters which have been sent to me. I will not take the time of this House to read them, but I want to read one, because the gentleman writing it is so eminent in this country that I know his words will weigh greatly on the Members of this House. This is a letter from Gen. Warner, of Missouri, an ex-Member of this House and an ex-United States Senator, and it was directed to Gen. Joseph

S. Smith, the local manager of the home in my State, and reads as follows:

Gen. JOSEPH S. SMITH,
The Richmond, Washington, D. C.

WASHINGTON, D. C., April 9, 1913.

MY DEAR GENERAL: In reply to your inquiry as to my judgment as to whether or not it would be to the best interest of the members of the National Home for Disabled Volunteer Soldiers to reduce the membership of the board of managers to five, I am decidedly of the opinion that such a change would not be to the best interests of the home.

The board as now constituted consists of 14 members, the President of the United States, the Chief Justice of the Supreme Court of the United States, and the Secretary of War, together with 11 members appointed by Congress. Thus it will be seen that there are 11 active members of the board of managers. This gives one member, known as the local manager, to each of the 10 branches of the home, leaving the other active member of the board for the position of president, with supervision of the general affairs of the home. The local manager pays frequent visits to his branch of the home, taking a special interest therein without losing interest in the other branches. These local managers at the meeting of the board make valuable suggestions and requests for such changes as are necessary for the happiness and contentment of the twenty-odd thousand members. To reduce the board of managers to five would, as a natural consequence, concentrate more power at headquarters of the board in New York. My experience after eight years' service on the board convinces me that this change is not desirable. In this view I am supported by a resolution unanimously adopted a few weeks since at a meeting of the board of managers at the Marion Branch.

In giving you thus briefly my views on the question asked, I have only one purpose in view, and that is the welfare of my comrades who are members of the home. I am not interested in the appointment of anyone as a member of the board, nor am I even a receptive candidate for reappointment.

With kindest regards, believe me, sincerely,

WM. WARNER.

Now, this is a letter from a man who has no desire to become a member of the board, entirely disinterested, who has served upon that board for a term of eight long years. No man in this country to-day is in closer touch with the necessities and the needs of all kinds of the old soldiers in these various branches of the homes than ex-Senator Warner, and I trust that the membership of this House will not be a party to giving the old soldiers, twenty-odd thousand of them, in the only homes they have on the top of God's earth, a notice to quit before, in the nature of things and in God's own good time, it will be necessary for them to leave there. [Applause.] I now desire to insert the remainder of the letters I have received.

The letters are as follows:

LAFAYETTE, IND., April 21, 1913.

SIR: I have the honor to state that I think it will be a serious mistake and an irreparable injury to the welfare of the veterans in the National Soldiers' Home to reduce the number of managers to five. Under the present arrangement one of the managers (designated as local manager) is given special supervision of a branch of the home. This enables him frequently to visit the branch of which he is local manager, confer with the governor and other officers, and personally inspect the quarters and all the operations connected with the branch. In this way he picks up valuable information which he is able to suggest to other managers in their meetings. If the number of managers was reduced to five, it would be impossible to have the branches visited except at stated meetings of the board, unless the president or some of the other managers voluntarily took it upon themselves to visit the branches during the intervals between the meetings of the board.

Each manager serves without compensation, except his necessary traveling expenses. Each one resides only a comparatively short distance from the branch of which he is local manager and is able to frequently visit it with very small expense.

I can speak of this matter disinterestedly, as my term will expire in about a year, and on account of my age, even if a reappointment were available, I will not wish to serve longer.

Yours, very truly,

EDWIN P. HAMMOND,
Manager National Home for Disabled Volunteer Soldiers.

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS,
Bangor, Me., April 16, 1913.

DEAR SIR: Having been requested to give my views regarding the proposed legislation to reduce the number of the Board of Managers of the National Home for Disabled Volunteer Soldiers to five, I would state:

First of all it should be stated that this amendment was introduced without having any consideration by the board of managers or by any officers of the several branches of the National Home. Such consideration, it seems to me, the amendment should have received, for it means a change in the administration of the affairs of the several branches, an administration that has marked the history of the National Home for Disabled Volunteer Soldiers in its gradual development from a single branch in 1866 to the nine branches and the Battle Mountain Sanitarium at the present time, when to each of these a member of the board is assigned as local manager. Manifestly this development of the position of the local manager has been in the interest of efficiency. His residence is reasonably near the branch, so near as to admit of frequent visits and a familiarity with its affairs. How much this means to its officers because of its opportunities for consultation, and also to the members of the branch, who thus come into personal contact with the local manager, can be readily seen. I am confident that both the officers of the several branches, as well as the old soldiers themselves, would deprecate the proposed change. It would destroy largely the personal interest represented now in the local manager and centralize the affairs of the several branches at headquarters of the board in New York. This does not seem to me to be called for, either on the ground of efficiency or economy. As to efficiency, my experience has taught me that a single branch is as large a field as any member of the board can properly cultivate, while as to economy it is suf-

ficient to say that the members of the board as now constituted serve without pay.

If I were to summarize the advantages of the present arrangement, I should say:

1. It secures to each branch of the National Home a very close and desirable relation between the officers of the branch and the board of managers in its governing capacity. The local manager, because of his frequent personal visits, has such an intimate acquaintance with the needs of the branch which he represents that the officers are assured that the interests of the branch will be sympathetically and intelligently presented to the board. The action of the board also, whatever it may be, will be sure to reach the officers of the branch in such a way as to secure the fullest possible information. An intermediary of this kind can not but conduce to harmony and efficiency in the management of the affairs of the several branches.

2. The present arrangement likewise provides an intermediary between the members of the home in its several branches and the board of managers in its governing capacity. Of the board as a whole they see but little. There is an annual visit, it is true, but on these occasions the members of the branches do not come into such close personal contact with the members of the board as they do with the local manager of the branch with which they are connected. They see him often. They become personally acquainted with him and look upon him as a friend and a comrade with whom they have come into sympathetic relations. A change that would in any way lessen this feeling on the part of the old soldiers would not, in my opinion, prove otherwise than detrimental. What they crave above everything else is sympathy, and the local manager is the one to whom naturally they look for a sympathetic representation of their interests at the meetings of the board.

It is generally wise to let well enough alone. For nearly half a century the Government has cared for the disabled volunteer soldiers of the Civil War. The history of the National Home provided for these disabled soldiers is one of which the Government has reason to be proud. There is no call for the proposed change either on the part of the board of managers or of any of the officers and members of the several branches, and until there is such a call Congress may well hesitate to take any action whatever.

For these reasons I feel it my duty, in the interest of and for the welfare, comfort, and happiness of the old veterans committed to our care, to most earnestly and strongly pray that the amendment be not enacted.

Very respectfully,

JOSEPH S. SMITH,

Manager N. H. D. V. S., Local Manager Eastern Branch.

Allow me to add that it would seem that the expenditure of more than \$4,000,000 appropriated by Congress annually for the support of these homes would naturally be better looked after by a majority of a board of 11 (6) than by that of a board of 5 (3). This is simply a business proposition.

J. S. S.

CAMBRIDGE, MASS., April 17, 1913.

TO THE CHAIRMAN OF THE COMMITTEE ON APPROPRIATIONS.

SIR: I have learned with surprise that it is proposed, by an amendment to the sundry civil bill, not to fill existing vacancies in the Board of Managers of the National Home for Disabled Volunteer Soldiers, or any vacancies hereafter occurring, until the number is reduced to five, and that this number shall thenceforward constitute the entire board.

As an old soldier, and one who until July last (when I resigned on account of age) had served as chaplain of the Eastern Branch of the National Home, I sincerely hope that this amendment will not pass. I am sure that if the members of the home could have a voice in this matter it would be a unanimous voice against the proposed change. The present average of these old soldiers is about 71 years. What they need and what they most desire is sympathy. They have no use for merely barrack life. What they want is a home, and such a home as Congress intended the National Home for Disabled Volunteer Soldiers should be.

The present arrangement as to local managers gives to each branch a representation in the board. This means that each branch has its own local manager; that is, one upon whom rests the duty of looking after the interests of the old soldiers there, frequently visiting the branch, meeting the members personally, sympathizing with them in their varied experiences, opening his ear to their complaints and his eye to their needs; in a word, showing himself a friend in all his relations with them.

The local managers I have known have been such men. The suggested changes would abolish this relation of the members of the board to the several branches of the home. The five members of the board, under the proposed arrangement, would be obliged to confine their attention to business details wholly. As one deeply interested in the welfare of the old soldiers, therefore, and as one who has had an opportunity of knowing how generously Congress has provided for these aged veterans of the Civil War, I trust that Congress will not now deprive any one of the branches of the home of the service of a local manager. To do this will be to deprive the old soldiers of a friend they love and to whom they look for that sympathy which they crave.

Very truly, yours,

HENRY S. BURRAGE,

Late Chaplain Eastern Branch,

National Home for Disabled Volunteer Soldiers.

Mr. JONES. Will the gentleman permit a question?

Mr. MCGILLICUDDY. Certainly.

Mr. JONES. The gentleman speaks of local managers. Does the gentleman desire to create the impression that there is a manager for each one of these homes appointed from and residing in the locality in which the home is located?

Mr. MCGILLICUDDY. Not necessarily. Each local manager is a member of the general board, and, as a rule, as I understand it, the local manager comes from the vicinity of his local home. It is not legally necessary that he should, but it is regarded as proper.

Mr. JONES. I will say to the gentleman that it is not only not legally necessary that he shall be a resident of the State wherein the home is located, but that it is, in some cases at least, legally necessary that he shall not be a resident of that State. The law governing these appointments reads as follows:

And be it further enacted, That the Board of Managers shall be composed of the President and Secretary of War and Chief Justice of the

United States ex officio, during their term of office, together with nine other citizens of the United States, not Members of Congress, no two of whom shall be residents of the same State, but who shall be residents of States which furnished organized bodies of soldiers to aid in the war for the suppression of the rebellion.

The SPEAKER. The time of the gentleman from Maine [Mr. MCGILLICUDDY] has expired.

Mr. FITZGERALD. I yield two minutes more to the gentleman.

Mr. JONES. Now, as a matter of fact, the most popular, if not the largest, soldiers' home in the United States is that of Hampton, Va., which is in the district which I have the honor to represent. The so-called local manager for that home resides in the State of New Jersey, and the law will not permit the appointment of a resident of Virginia. Does not the gentleman think that the law ought to be changed in this respect? If we are going to have local managers, as he thinks is necessary for the good of the homes, does he not think the law should be changed so that the local manager for the Hampton Home should come from the State of Virginia?

Mr. MCGILLICUDDY. We will cross that bridge when we get to it. That is not before the House now.

Mr. JONES. If the gentleman be correct in his contention—and I take no issue with him as to that—should not the local manager for the popular home which is located in the district I represent be a resident of Virginia and not of New Jersey? The Hampton Home is as much entitled to a local manager as any other home.

Mr. FITZGERALD. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has half an hour remaining.

Mr. FITZGERALD. Mr. Speaker, I have no desire to drag into this discussion the individual members of the board. The letter read by the gentleman from Maine [Mr. MCGILLICUDDY] was written by a gentleman who is at present a member of the board. His term expired in 1912. The House since that time has passed a resolution proposing members for the vacancies. It went to the Senate, and the name of Maj. Warner was not in the House resolution, but when the resolution was reported from the Senate his name had been substituted for one of the names proposed by the House. And it must be borne in mind that Maj. Warner, while he has been vigorously and actively interested in the welfare of the soldier, is a member of the board whose actions during the last six or seven years have been such that, in the opinion of those who have been so located as not to have any particular interest in a particular home or manager, makes desirable the change proposed. Included among those members were one from Dayton, Ohio, where a home is located, and another from Danville, Ill., where another home is located. The Members representing those districts—Mr. Cox of Ohio and Mr. Cannon of Illinois—believed the present system to be wrong and that the board should be reduced to produce proper results. Taking this action is not serving notice upon the old soldiers that they will be evicted. There will be no attempt in any way to take away from them the comforts of the homes, but the conditions will be so improved that these aging old veterans will receive better treatment under the new conditions than under the present ones.

I yield three minutes to the gentleman from Illinois [Mr. O'HAIR].

Mr. O'HAIR. Mr. Speaker, I am unable to understand any good reason for reducing the number of managers for these soldiers' homes. It can not be economy, because they draw no salary. When this law was enacted, and as long as it has been in effect, it has been considered that 11 members, with the President and 1 member of the Supreme Court ex officio, were necessary to constitute a proper body. There are 10 homes with over 20,000 soldiers in them. Now, these homes will probably be abolished by the death of the soldiers, and it will be soon enough to abolish some of the positions of managers when a home is needed no longer.

The home in my district has over 3,000 soldiers in it, and it seems to me that the argument that by eliminating certain members of this board the management will be less centralized is not good. The fact is that by eliminating six, by taking away six, the management will be centralized, and it will be nearer one-man rule, if that is the idea, than it is to-day.

There are many millions of dollars being spent each year in the maintenance of these soldiers' homes. Here are 10 men, 1 for each home, supposed to be managers. Now, those 10, I think, with probably one exception, are old soldiers or officers of the Civil War. I have heard no one say that those men have not at heart the good of these old soldiers, and I think that these soldiers' homes ought to have a man near to them, a quasi manager, at least, to whom the soldiers can report, to whom the soldiers can make appeals, instead of a small board

situated somewhere—in New York or Chicago, or scattered very much, it might be, because these homes reach from California to Maine; scattered all over the country.

Mr. LOBECK. That is what they do now.

Mr. O'HAIR. I am unable to see—and that is why I speak against this proposition—the virtue of reducing the number of these managers. I think the home in my district has 3,200 soldiers in it, and it needs some man who has at heart the interests of the soldiers close at hand to look after them.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. FITZGERALD. Mr. Speaker, I yield three minutes to my colleague from New York, Mr. GOULDEN.

The SPEAKER. The gentleman from New York [Mr. GOULDEN] is recognized for three minutes.

Mr. GOULDEN. Mr. Speaker, with a practical experience as a trustee of one of the largest State soldiers' homes in the country I may be able to throw a little light on the subject.

I am sorry I can not agree with my distinguished friend from Maine [Mr. MCGILLICUDDY] and the equally distinguished gentleman from Illinois [Mr. O'HAIR]. The fact is that at the national homes the men go to the homes in accordance with their personal feelings. New York State has at Togus, Me., somewhere between 100 and 200 of its old soldiers. Therefore they are a long distance from a local managing member, so called. The gentleman who is supposed to represent the Hampton Soldiers' Home in Virginia lives, as my friend from Virginia [Mr. JONES] says, in New Jersey, so that it is not required that they should be physically located so as to be able to meet these men.

In the State home in New York we had a board of 11 and reduced the number to 7, and it is working better now than when the number was larger. I have every confidence in the president of the board of managers, Maj. Wadsworth, who served long and creditably in this House, and his views, to my mind, would go far as the number is concerned. I heartily agree with him that the reduction from 11 to 5 would work good results, and I am willing to follow the suggestion of Maj. Wadsworth every time, and I am therefore in sympathy with and will support the amendment offered by the committee and adopted by this House. I trust that the amendment known as No. 2 will prevail and that the House will insist upon it.

Mr. FITZGERALD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Illinois [Mr. MANN] is recognized for five minutes.

Mr. MANN. Mr. Speaker, we are "up against" the same old proposition of how to abolish a job. One would suppose that it would not be a hard thing to abolish a place which had no salary connected with it and where you did not oust the present incumbent. And yet four gentlemen whose terms have now expired—or perhaps it is only three—have been able to work up quite an agitation to keep those positions still in existence.

Last year, when three of these terms had expired, and the House had passed a resolution providing for the naming of three managers, and making a change, I believe, as to one—possibly two—even that effort to change the holder of the job from one man to another was held up. They could not pass the resolution through the Senate, and it did not pass, except with an amendment restoring the one who now holds the job holding over, so that he would have a reappointment.

Everybody knows that 5 managers will do better work than 11 managers. A board of 5 will do the work better than a board of 11 who will not do the work. That is the case now. The very theory of having a man who is supposed to be the manager for each home is wrong. He does not manage the home. There is a superintendent to manage the home. I recently read the report of the board of managers, which was quite a volume, and I also read the report of the investigation carried on by a Senate committee, of the home in California. Certainly something ought to be done. No one is proposing to affect adversely the soldiers in the homes. There is no proposition here to close a home and turn any old soldier out of a home, as suggested by the gentleman from Maine [Mr. MCGILLICUDDY]. No such idea is carried here. The purpose is to secure efficiency.

It took us a great many years to pass a law providing for the abolishment of the seven Isthmian Canal Commissioners and get it through the Senate of the United States. Every time a proposition has come up for the abolishing or reducing of these useless, unwieldy boards we have had the same kind of a contest.

In the last Congress we passed the sundry civil bill, and it went to the Senate and was there amended in many respects. The bill was sent to conference. The House conferees agreed to some amendments and the Senate conferees receded on some

amendments, and the House accepted the Senate amendments which were agreed to in conference. Under those circumstances I think the Senate is under obligation, in good faith, at this time to accept the propositions of the House which were agreed to in conference before. We have taken the conference bill without question and passed it through this House.

I think we can afford occasionally to reduce the membership of a board which will be more efficient and more economical and will furnish a better service with a smaller number than it does or can with the larger number.

Mr. REED. Will the gentleman yield?

Mr. FITZGERALD. I yield three minutes to the gentleman from New Hampshire.

Mr. REED. Mr. Speaker, I have no desire to take up more than a moment of the time of this House in its consideration of this amendment. I believe it is unwise for this House to adopt a penurious policy in dealing with a proposition of this kind. We should maintain a broad and liberal policy in taking care of the grandest body of men that this or any other country ever knew—the old soldiers—who, by their deeds of valor, have made this the beautiful country it is, in which we live.

We have a soldiers' home in the State of New Hampshire, which State I in part represent, that is maintained by the State itself. We have never asked the National Government to contribute one dollar toward its establishment or maintenance. In almost every city and village in the State of New Hampshire there are Grand Army posts, and in my home city of Manchester the post headquarters is furnished by the city, and is heated and lighted and the janitor service provided by the people of Manchester, who love the old soldiers and who desire to do everything possible to make their declining days comfortable.

It has been said here that we have no desire to affect injuriously the welfare of the old soldiers, and I believe that is the sentiment of this splendid body of men whom I now have the pleasure of addressing. Let us do nothing that will cause the old soldiers one moment's uneasiness or worry in their declining days. Let us, on the other hand, do everything we can to make their last days comfortable. It seems to me that, as National Legislators, we owe that much to these old soldiers. We should not adopt this recommendation for a change in the present rules, which will bring about conditions that I am sure the membership of this House does not desire, particularly in view of the fact that no financial saving to the Government will be effected.

The SPEAKER. The time of the gentleman from New Hampshire has expired.

Mr. HAMMOND. I desire to ask the gentleman from New York a question.

The SPEAKER. Does the gentleman from New York yield to the gentleman from Minnesota?

Mr. FITZGERALD. Yes.

Mr. HAMMOND. I should like to know if there are any items in this appropriation bill appropriating money that must be used in the immediate future?

Mr. FITZGERALD. There are in this bill what are known as continuing appropriations.

Mr. HAMMOND. Is there a necessity for the passage of this bill within a very few days?

Mr. FITZGERALD. Not within the next 24 hours. I think this matter will be settled by Monday.

Mr. HAMMOND. I have seen a statement in the newspapers, if I am not mistaken, in connection with some appropriation included in this bill, indicating that there was an urgent necessity that the bill should be passed at a very early date.

Mr. FITZGERALD. There has been an urgent necessity that the bill should be passed since the 4th day of March, when it should have become a law. In my opinion, it should not have been vetoed. The House expressed its opinion to that effect by its vote. If the gentleman expects me to say that I think it is more important that the House should concur in the Senate amendment rather than that the bill go over until Monday, I can not accommodate him, because I believe it to be of more importance that this amendment of the Senate be defeated than that this bill become a law to-day. There are continuing appropriations—appropriations for river and harbor work, for instance—in this bill.

Mr. HAMMOND. The gentleman thinks that this matter of decreasing the number of members upon this board from 11 to 5 is of so much importance that these appropriations should be delayed further than they have been?

Mr. FITZGERALD. I do. I hold in my hand, Mr. Speaker, the report of a Senate committee made last January—since gentlemen wish to bring such matters into this discussion—pursuant to a resolution of the Senate directing the Senate committee to investigate one of these homes—to investigate it because of the innumerable complaints that had been made of the

treatment of the old soldiers in it, and I shall read some of the findings of the committee as to conditions under the present system.

Mr. REED. Mr. Speaker, will the gentleman yield for a question?

Mr. FITZGERALD. I should like to finish this statement.

Mr. REED. I just wish to say to the gentleman—

Mr. FITZGERALD. I decline to yield at present. Here are some of the findings made by this committee after investigating the Pacific Home, at Santa Monica, Cal., as a result of which I think the governor was removed. A member of the board lives in Pasadena, Cal., and he is the local manager of the home. I read from the tenth finding:

The conditions in the general homes are far from satisfactory. The food is often badly cooked and badly served. There are two sittings at each meal, with about 750 men at each sitting. No water is available during the meal. No sugar or cream or milk is placed on the table.

Then further along down in the report is the following:

The bread is generally heavy, soggy, and unattractive in appearance. The bread pans did not appear to be suitable.

The regulations for the government of the home have grown until it requires quite a volume to contain them—

The old soldiers are expected to know and to obey these regulations.

There are now 602 paragraphs in the regulations. Many of these regulations were made 25 or 30 years ago. They may have been adapted to the conditions then, but they are not adapted to the conditions now.

Under this present system with the local manager of the board having complete say as to what should be done, these are the conditions that were found. The committee makes a number of recommendations, and this is one of them, that this home be taken out of the control of the board of managers and turned over to the War Department. When a suggestion is made here to abolish conditions that produce such a report as this, and to make a board that will be efficient and to improve conditions, gentlemen complain that we are trying to hurt the old soldiers.

Mr. Speaker, as to the Togus Home, in Maine, this delightful spot to which these old soldiers are yearning to go, I was never more surprised in my life to learn that it was built on a hill in the middle of a swamp, one of the most unhealthful places in the State of Maine. It was put there because somebody discovered a spring to which some unusual medicinal qualities were assigned. The old soldiers go to Maine and get malaria, and then they go traveling about the country to the homes known as sanitariums, trying to get rid of the malaria. The most active and most consistent antagonist of this proposition to reduce the number of the board of managers from 11 to 5 is the local manager from Maine, whose term expires in 1914.

Mr. Speaker, I am interested in the welfare of these old soldiers. I desire these homes conducted by an up-to-date, energetic, live board of men who will not take somebody's statement as to conditions and as to policies, but who will travel about the country, from home to home, seeing for themselves, and basing their policy and action on information gained from personal observation and inspection. It is time that a change was made, and made in the interest of the men who are the beneficiaries of the homes.

Mr. MCGILLICUDDY. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MCGILLICUDDY. Mr. Speaker, I want to say that I do not know where the gentleman got his information about the swamps at Togus, but certainly it is misinformation. There is absolutely nothing of the kind at Togus, and the best possible proof that I know of the healthful conditions of the spot is that the gentleman's own colleague from New York, Mr. GOULDEN, just said that some 200 of the old soldiers in New York left New York and went to Maine to live, and are there in the home now.

Mr. FITZGERALD. Mr. Speaker, I got my information from the members of the board of managers when they appeared before the Committee on Appropriations.

Mr. MCGILLICUDDY. I live there and I have seen it, and I know what I am talking about.

Mr. FITZGERALD. My recollection is that Gen. Smith, the local manager for the home, was present when the statement was made. I have neither anything to hide nor do I desire to conceal the sources of information.

Mr. MANN. Will the gentleman yield for a question?

Mr. FITZGERALD. I yield to the gentleman.

Mr. MANN. The gentleman from Minnesota [Mr. HAMMOND] asked a question designed, or perhaps not designed, to show the necessity of disposing of the sundry civil bill to-day. My recollection is it is about five weeks since Congress met. The sundry civil bill could have been passed the first week. Will the gen-

tleman say how long since the bill did pass the House? The bill, of course, will show.

Mr. FITZGERALD. I think we passed the bill early in the session; I do not recall, however.

Mr. MANN. The bill passed the House April 22. If there has been any such urgent demand for the funds provided in the bill in the opinion of the Senate, the bill would have passed the Senate before May 7, as the only change made in the bill by the Senate was adding the letter "s" to some place in order to make it "departments" instead of "Department of Commerce and Labor" and this one amendment, and if the Senate thought it necessary to wait two weeks in order to insert those amendments, does the gentleman think there is any objection to the House considering it for 24 hours?

Mr. FITZGERALD. No; I do not. My opinion is that it is of very great importance, Mr. Speaker, both for the management of the homes and the welfare of the men who live in them, that the board of managers be reduced. I ask for a vote upon my motion.

The SPEAKER. The gentleman from New York moves that the House further insist on the amendment reported by the Clerk, and the gentleman from Maine [Mr. HINDS]—

Mr. REED. Will the gentleman yield?

Mr. FITZGERALD. I yield to the gentleman.

Mr. REED. I want to ask the gentleman from New York if, in his opinion, these iniquities exist as shown by the report, would they not continue perhaps quite as likely under a board of 5 as under a board of 11, and if the personnel of the board is not more responsible for it than the number of the board?

Mr. FITZGERALD. I think not, Mr. Speaker. If I thought that by reducing the number of members of the board we would increase the evils, I would not advocate reducing the membership of the board, but I should favor abolishing the board and turning the control of the homes over to some other organization.

Mr. REED. If there is iniquity, why is it not just as easy to correct these evils existing under a board of 11 as under a board of 5?

Mr. FITZGERALD. I have endeavored in the hour which I have more or less occupied on the floor to explain the reasons that make me believe 5 members would be better than 11, and if I have not convinced the gentleman I can not do so now. Mr. Speaker, I ask for a vote.

The SPEAKER. The gentleman from New York moves to further insist on the disagreement and the gentleman from Maine [Mr. HINDS] makes the preferential motion to recede and concur. The vote is on the motion of the gentleman from Maine.

The question was taken, and the motion was rejected.

Mr. FITZGERALD. Mr. Speaker, I move that the House further insist on its disagreement.

The question was taken, and the motion was agreed to.

Mr. FITZGERALD. Mr. Speaker, I move that the House agree to the conference asked by the Senate.

The question was taken, and the motion was agreed to.

The SPEAKER. The Chair announces the following conferences.

The Clerk read as follows:

Mr. FITZGERALD, Mr. SHERLEY, and Mr. GILLET.

ADJOURNMENT UNTIL TUESDAY NEXT.

Mr. UNDERWOOD. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Tuesday next.

The motion was agreed to.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 7 minutes p. m.) the House adjourned until Tuesday, May 20, 1913, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting the eighth annual report of the American National Red Cross (H. Doc. No. 49), was taken from the Speaker's table, referred to the Committee on Foreign Affairs, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAY: A bill (H. R. 5303) to amend section 3 of an act entitled "An act to provide for the examination of certain officers of the Army and to regulate promotions therein," approved October 1, 1890; to the Committee on Military Affairs.

Also, a bill (H. R. 5304) to increase the efficiency of the aviation service of the Army, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 5305) to provide for the purchase of a site and the erection thereon of a public building at Luray, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5306) to erect a monument to the memory of Gen. Peter Gabriel Muhlenburg at Woodstock, Va.; to the Committee on the Library.

By Mr. LLOYD: A bill (H. R. 5307) providing for carrying in the mails reply letters and postal cards without prepayment of postage; to the Committee on the Post Office and Post Roads.

By Mr. HINEBAUGH: A bill (H. R. 5308) to provide for a tax upon all persons, firms, or corporations engaged in interstate mail-order business, and for other purposes; to the Committee on Ways and Means.

By Mr. J. I. NOLAN: A bill (H. R. 5309) for the erection of new buildings for the Golden Gate Life-Saving Station at San Francisco, Cal.; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNS of Tennessee: Joint resolution (H. J. Res. 85) authorizing the Secretary of War to accept the title to approximately 5,000 acres of land in the vicinity of Tullahoma, in the State of Tennessee, which certain citizens have offered to donate to the United States for the purpose of establishing a maneuver camp and for the maneuvering of troops, establishing and maintaining camps of instruction, for rifle and artillery ranges, and for mobilization and assembling of troops from the group of States composed of Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, North Carolina, and South Carolina; to the Committee on Military Affairs.

By Mr. GARDNER: Memorial of the Legislature of Massachusetts, relative to tariff legislation now pending; to the Committee on Ways and Means.

By Mr. STEPHENS of California: Memorial of the Legislature of California, urging banking and currency reform legislation; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AINEY: A bill (H. R. 5310) granting a pension to Mary Ellen Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5311) granting a pension to Margaret Price; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5312) granting a pension to Bridget Moran; to the Committee on Pensions.

Also, a bill (H. R. 5313) granting an increase of pension to Charles H. Mason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5314) granting an increase of pension to Milton Trout; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5315) granting an increase of pension to Jacob Alles; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 5316) granting an increase of pension to Oliver Cromwell; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 5317) authorizing the Secretary of the Interior to enroll Isabell Richter, née Bell Cook, and her son Charles H. Richter as Cherokee Indians; to the Committee on Indian Affairs.

By Mr. FIELDS: A bill (H. R. 5318) granting a pension to W. T. Mobley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5319) granting a pension to Julia A. Gorman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5320) granting a pension to Albert Ramey; to the Committee on Pensions.

Also, a bill (H. R. 5321) granting a pension to Charles A. Ward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5322) granting a pension to Henderson Ramey; to the Committee on Pensions.

Also, a bill (H. R. 5323) granting a pension to William Prater; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5324) granting an increase of pension to James M. Vansant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5325) granting an increase of pension to Newton Ridgway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5326) granting an increase of pension to James Hunter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5327) granting an increase of pension to William N. Perry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5328) granting an increase of pension to Andrew Gallagher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5329) granting an increase of pension to James B. Coyle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5330) granting an increase of pension to Francis Marion Sanders; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5331) granting an increase of pension to Jeremiah Hicks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5332) granting an increase of pension to Thomas B. Hughes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5333) granting an increase of pension to Levi H. Colburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5334) granting an increase of pension to David A. Tipton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5335) granting an increase of pension to James Seaton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5336) granting an increase of pension to James M. Woods; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5337) granting an increase of pension to Henry Braden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5338) granting an increase of pension to Thomas M. Patton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5339) granting an increase of pension to George M. Adkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5340) granting an increase of pension to Brice Vance; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5341) granting an increase of pension to Charles W. Willis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5342) granting an increase of pension to Henry C. Yates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5343) for the relief of the heirs of William D. Jones, deceased; to the Committee on War Claims.

Also, a bill (H. R. 5344) for the relief of John W. Kincaid; to the Committee on Military Affairs.

Also, a bill (H. R. 5345) for the relief of Eli F. Prather; to the Committee on Military Affairs.

Also, a bill (H. R. 5346) for the relief of Ben P. Nicholson; to the Committee on War Claims.

Also, a bill (H. R. 5347) for the relief of John A. Gribble; to the Committee on Military Affairs.

Also, a bill (H. R. 5348) for the relief of Jeremiah Hunt; to the Committee on Military Affairs.

Also, a bill (H. R. 5349) for the relief of Carlos Sharpe; to the Committee on Military Affairs.

Also, a bill (H. R. 5350) for the relief of Townley H. Bellomy; to the Committee on Military Affairs.

Also, a bill (H. R. 5351) for the relief of John Moore; to the Committee on Military Affairs.

Also, a bill (H. R. 5352) for the relief of William G. Anderson; to the Committee on War Claims.

Also, a bill (H. R. 5353) for the relief of James Black; to the Committee on Military Affairs.

Also, a bill (H. R. 5354) for the relief of Isaac Musser; to the Committee on Military Affairs.

Also, a bill (H. R. 5355) for the relief of Solomon Lunsford; to the Committee on Military Affairs.

Also, a bill (H. R. 5356) for the relief of Allen Conley; to the Committee on Military Affairs.

Also, a bill (H. R. 5357) for the relief of W. J. Flannery, jr.; to the Committee on Military Affairs.

Also, a bill (H. R. 5358) for the relief of W. S. Adams; to the Committee on War Claims.

Also, a bill (H. R. 5359) for the relief of William Woodmansee; to the Committee on Military Affairs.

Also, a bill (H. R. 5360) for the relief of Overton Turner; to the Committee on Military Affairs.

Also, a bill (H. R. 5361) for the relief of the estate of Ann S. Jackson; to the Committee on War Claims.

Also, a bill (H. R. 5362) for the relief of the legal representatives of H. Mack Whitaker, deceased; to the Committee on War Claims.

By Mr. FLOYD of Arkansas: A bill (H. R. 5363) granting a pension to Charles W. Reeves; to the Committee on Pensions.

By Mr. HAY: A bill (H. R. 5364) for the relief of Pierre C. Stevens; to the Committee on Claims.

By Mr. HAYDEN: A bill (H. R. 5365) to correct the military record of George Moran; to the Committee on Military Affairs.

By Mr. HELVERING: A bill (H. R. 5366) granting an increase of pension to Emory J. Millard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5367) for the relief of Francis A. Goode; to the Committee on Military Affairs.

By Mr. KENNEDY of Connecticut: A bill (H. R. 5368) to remove the charge of desertion against James Halloran; to the Committee on Military Affairs.

Also, a bill (H. R. 5369) to remove the charge of desertion against Michael Houlihan; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 5370) granting an increase of pension to Charles B. Daniel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5371) granting an increase of pension to Franklin McDaniel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5372) for the relief of S. J. Miller; to the Committee on War Claims.

Also, a bill (H. R. 5373) for the relief of the heirs of Drew Gwin; to the Committee on War Claims.

By Mr. LLOYD: A bill (H. R. 5374) granting a pension to Grant W. Berry; to the Committee on Pensions.

Also, a bill (H. R. 5375) for the relief of O. P. Phillips; to the Committee on War Claims.

By Mr. MAHER: A bill (H. R. 5376) granting an increase of pension to John Flood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5377) granting an increase of pension to Charles L. Konollman; to the Committee on Invalid Pensions.

By Mr. NEELEY: A bill (H. R. 5378) providing for the relief of the Garden City (Kans.) Water Users' Association, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. O'SHAUNESSY: A bill (H. R. 5379) granting an increase of pension to Margaret F. Boyle; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 5380) granting an increase of pension to William L. Tarbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5381) granting an increase of pension to John D. Traft; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5382) granting a pension to Roy Bruner; to the Committee on Pensions.

Also, a bill (H. R. 5383) providing for the presentation of a medal of honor to William M. De Hart; to the Committee on Military Affairs.

By Mr. SMITH of New York: A bill (H. R. 5384) granting an increase of pension to Catherine Casler; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Jene B. Morrow, of Louisiana, Mo., against mutual life insurance funds in the income-tax bill; to the Committee on Ways and Means.

By Mr. BARTON: Petition of business men of sundry cities and towns of the fifth congressional district of Nebraska, favoring the passage of legislation compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Interstate and Foreign Commerce.

By Mr. CURRY: Petition of the Pacific Association of Railway Surgeons, favoring creation of a department of public health with an officer in the Cabinet; to the Committee on the Judiciary.

By Mr. DALE: Petitions of Hogan & Son, of New York City; the Buffalo Envelope Co., of Buffalo; and Merrill Bros., of Maspeth, N. Y., favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of Frank Rosenblatt, of Brooklyn, N. Y., protesting against mutual life insurance funds in the income-tax bill; to the Committee on Ways and Means.

By Mr. DYER: Petition of the Mercantile Trust Co., of St. Louis, Mo., favoring repeal of the clause allowing American ships free tolls through the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Hilker & Bletsch Co., of St. Louis, Mo., against assessment of a fee for filing protest against assessment of duty by collector of customs; to the Committee on Ways and Means.

By Mr. MAHER: Petition of the Medical Society of the State of New York, favoring removal of the duty on surgical instruments; to the Committee on Ways and Means.

Also, petition of the members of the provision trade of the New York Produce Exchange, protesting against the duty on live stock; to the Committee on Ways and Means.

By Mr. MANN: Petition of sundry citizens of Chicago, Ill., protesting against the dissolution of the United States Steel Corporation and subsidiary companies; to the Committee on the Judiciary.

By Mr. SELDOMRIDGE: Petition of sundry business men of the State of Colorado, favoring change in the interstate-commerce laws compelling concerns selling goods by mail to

contribute their share of funds in the development of the local community; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of California: Memorial of Los Angeles, San Diego, Pasadena, Santa Barbara, Santa Ana, Riverside, Redlands, Long Beach, Alhambra, San Bernardino, Pomona, Santa Monica, Ventura, and Oxnard (Cal.) Branch National Citizens' League and Los Angeles Chamber of Commerce, favoring immediate consideration of currency-reform laws; to the Committee on Banking and Currency.

SENATE.

Monday, May 19, 1913.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Friday last was read and approved.

GOVERNMENT EXPRESSAGE ON LAND-GRANT RAILROADS (S. DOC. NO. 39).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 15th ultimo, reports received from the Auditor for the State and Other Departments, the Auditor for the Treasury Department, the Auditor for the War Department, the Auditor for the Post Office Department, the Auditor for the Interior Department, and the Auditor for the Navy Department, giving information relative to the payments made out of public moneys to express companies for transportation of property of the United States over lines of railway companies which received grants of land from the Government upon the express condition that such lines shall be and remain a public highway for the use of the Government of the United States, etc., which, with the accompanying papers, was referred to the Committee on Public Lands and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. SHERMAN presented a memorial of sundry journeymen cigar makers, residents of Chicago, Ill., remonstrating against the importation of cigars free of duty from the Philippine Islands, which was referred to the Committee on Finance.

Mr. WEEKS presented a memorial of the Cigar Makers' International Union of America, remonstrating against the importation of cigars free of duty from the Philippine Islands, which was referred to the Committee on Finance.

He also presented resolutions adopted by the Real Estate Exchange of Massachusetts, relative to the administration of the provision in the income-tax clause of the pending tariff bill relating to real estate, which were referred to the Committee on Finance.

Mr. GALLINGER presented petitions of J. B. Kuntz and Hugo Mayer, of Huntingdon, Pa.; John Garland Pollard, of Richmond, Va.; H. G. McCormick, of Williamsport, Pa.; A. S. Reed, of Wilmington, Del.; Thomas E. Reynolds and M. Nathan, of Johnstown, Pa.; and of George S. Washington and Frank W. Renninger, of Philadelphia, Pa., praying for the exemption of mutual life insurance companies from the operation of the income-tax clause in the pending tariff bill, which were referred to the Committee on Finance.

Mr. NEWLANDS presented petitions of sundry citizens of Reno, Osceola, Goldfield, Elko, Carson, East Ely, Lovelock, Manhattan, Virginia City, Fallon, Austin, and Winnemucca, all in the State of Nevada, and of sundry citizens of Washington, D. C., praying for the exemption of mutual life insurance companies from the operation of the income-tax provision of the pending tariff bill, which were referred to the Committee on Finance.

Mr. SHEPPARD presented petitions of sundry citizens of Kopperl, Grand View, and Fort Worth, all in the State of Texas, praying for a reduction in the duty on sugar, which were referred to the Committee on Finance.

Mr. HOLLIS presented a petition of sundry citizens of Hanover, N. H., and a petition of sundry citizens of Concord, N. H., praying for the repeal of the clause in the Panama Canal act exempting American coastwise shipping from the payment of tolls, which were referred to the Committee on Inter-oceanic Canals.

Mr. PENROSE presented a memorial of the Chamber of Commerce of Philadelphia, Pa., remonstrating against certain provisions in the sundry civil appropriation bill prohibiting the expenditure of money for the enforcement of the antitrust laws, etc., which was referred to the Committee on Appropriations.

Mr. PERKINS presented a resolution adopted by the Pacific Association of Railway Surgeons, favoring the establishment